



Glenn Hegar Texas Comptroller of Public Accounts

# State of Texas SOURCES OF REVENUE

A History of State Taxes and Fees

1972—2016









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# SOURCES OF REVENUE

A History of State Taxes and Fees in Texas 1972-2016

## Introduction

This publication updates *Sources of Revenue*, last issued by the Comptroller in January 2015, and is intended to be a guide to the history and current status of Texas state revenue sources. In an effort to provide the deepest historical perspective based on the most reliable and consistent data, the report uses the year 1972 as the starting point for tracking state revenue collections, as well as the legislative and economic changes affecting them.

In public policy matters, the methods by which governments raise revenue always seem to take center stage. It is hoped that this update will continue to serve as a quick stop for policymakers, staff, and other users for general information about Texas revenue sources. In addition to summarizing over 40 years of tax and revenue legislation, the report's profile pages provide legal citations, revenue history, rates and bases for specific revenue sources and other information that will give the user a general idea of a revenue source's place in the overall system.

Taxes have a special place in the discussion because of their inherent unpopularity, but in recent years greater attention has turned to fees and debt as alternate methods of paying for government services. This report covers state taxes and fees as distinct from debt, which the Comptroller's Office has covered in detail in other publications. Taxes and fees are sources of current revenue drawn from citizens and businesses as they participate in the economy. In covering sources of Texas state revenue, the report excludes the property tax, which is levied exclusively by units of local government.

Since 1972, the Legislature has enacted hundreds of bills directly affecting tax and fee revenue. (See Table 2) Prior to 1991, legislation both raised and lowered taxes as

the economy fluctuated with some tax relief coming during the oil boom of the late 1970s and major tax increases occurring in 1984, 1986 and 1991. After 1991, however, tax-related bills have almost exclusively reduced state taxes, the exception being 2006 when state taxes were increased to pay for local property tax relief. Over time, bills have included rate increases and decreases; base changes that either broadened or narrowed the tax base; due-date speed-ups and delays; and new levies and repeals. This report supplies a detailed history of state tax and fee legislation from 1972 through 2016 as well as revenue from the levies, along with other useful information for those wanting to learn more about these revenue sources. (Unless otherwise noted, all annual data refer to state fiscal years, which run from September 1 through August 31.)

The report, aside from the tax and fee profiles, includes three sections, nine appendices, four tables and four charts. This section, the introduction, discusses the methodology and terms employed. Following the introduction, Table 1 identifies all major taxes collected by the State of Texas (as well as taxes abolished since 1972.) Table 2 then lists the major tax and related revenue bills enacted since 1972.

The second section identifies and reviews each of the major taxes and fees collected in Texas, and the third section identifies and tracks legislative and other changes affecting state tax and fee revenues from 1972 through 2016. A fourth section—the core of *Sources of Revenue*—presents individual profiles of the state's major taxes and fees. Each profile provides details concerning statutory authority, enactment and administration, and a history of collections and rate changes.

Appendix A describes total tax and fee collections, percent change and average annual growth rates. Appendix B provides a year-by-year history of state tax rates for major taxes from 1930 through 2016. Appendix C provides a detailed history of the legislative changes involving the state's principal revenue source, the Sales and Use tax, beginning with its inception in 1961. Appendices D-1 through D-3 provide interstate comparisons of tax rates and relative state rankings for major state taxes. Appendix E lists the state's various professional fees and provides details including a description of each fee, year of enactment, and legal citation. Appendix F provides a history of Insurance Premium tax rate changes.

Finally, Appendix G provides graphic depictions of average annual growth rates for major tax categories during seven periods in the state's recent tax history: 1972-83, an era of vigorous economic growth, when virtually no tax legislation was deemed necessary; 1983-92, an era of economic turmoil and numerous tax increases; 1992-01, an era of sustained economic growth with an emphasis on tax relief; 2001-03, a brief period of economic downturn; 2003-08, a period of strong economic and revenue growth; 2008-10, years affected by the Great Recession; and 2010-16, the most recent period of post-recession recovery and expansion.

This informational report is intended to provide summary descriptions of the state's major taxes, fees, and associated legislation. These descriptions should be used as guidelines only; actual taxability and official tax policy are determined by the Tax Code and administrative rules. 🌀

**TABLE 1**  
**Tax Rates and Bases for Texas State Taxes**  
**Fiscal 2016**

<b>Tax</b>	<b>Rate and Base</b>
<b>Beer Tax</b>	\$6 per 31-gallon barrel
<b>Boat and Boat Motor Sales and Use Tax</b>	6.25 percent on the sale of a taxable boat or boat motor \$15 for each boat or boat motor brought into the state by a new resident
<b>Cement Production Tax</b>	2.75 cents on the first intrastate distribution, sale, or use of each 100 pounds or fraction of 100 pounds of cement
<b>Cigars and Tobacco Products Tax</b>	1 cent per 10 cigars or portion of 10 cigars weighing 3 pounds or less per thousand; \$7.50 per 1,000 cigars weighing more than 3 pounds per thousand with a factory list price of not more than 3.3 cents each; \$11 per 1,000 cigars weighing more than 3 pounds per thousand with a factory list price of more than 3.3 cents each and containing no substantial amounts of non-tobacco ingredients; \$15 per 1,000 cigars weighing more than 3 pounds per thousand with a factory list price of more than 3.3 cents each and containing substantial amounts of non-tobacco ingredients; \$1.22 per ounce and a proportionate rate on all fractional parts of an ounce for chewing, pipe, or roll-your-own tobacco and snuff, with the tax imposed on a can or package weighing less than 1.2 ounces equal to the amount of the tax imposed on a can or package weighing 1.2 ounces
<b>Cigarette Tax</b>	\$70.50 per 1,000 cigarettes weighing 3 pounds or less (\$1.41 per pack of 20); \$72.60 per 1,000 weighing more than 3 pounds
<b>Coin-Operated Amusement Machine Tax</b>	\$60 per coin-operated amusement machine per year
<b>Combative Sports Admissions Tax</b>	3.0 percent on the gross receipts from event admissions plus 3.0 percent of gross receipts from the sale of broadcast rights or \$30,000, whichever is less
<b>Diesel Fuel Tax</b>	20 cents per gallon of diesel fuel
<b>Franchise Tax</b>	Corporations and limited liability companies, partnerships, trusts and other business forms pay a rate of 0.75 percent of a firm's Texas-apportioned "margin," defined as total revenue less the greater of cost of goods sold, total compensation, 30 percent of total revenue or \$1 million (a rate of 0.375 percent applies to businesses in retail and wholesale trade). A rate of 0.331 percent of total revenue applies to entities eligible for and electing to use the E-Z computation
<b>Gas, Electric and Water Utility Tax</b>	0.581 percent on utility gross receipts from services to incorporated cities and towns with 1,001 to 2,499 people; 1.070 percent on services to cities with 2,500 to 9,999 people; 1.997 percent on services to cities with 10,000 people or more
<b>Gas Utility Pipeline Tax</b>	0.5 percent of the gross gas utility receipts less the cost of gas sold
<b>Gasoline Tax</b>	20 cents per gallon of gasoline
<b>Hotel Occupancy Tax</b>	6.0 percent of the room rate paid by occupant
<b>Insurance Maintenance Taxes</b>	Varying rates on gross premiums for different types of coverage, set annually by the Texas Department of Insurance to cover regulatory costs
<b>Insurance Premium Tax (Accident and Health Insurance)</b>	1.75 percent of taxable gross premiums
<b>Insurance Premium Tax (Life Insurance and Health Maintenance Organizations)</b>	0.875 percent of the first \$450,000 in taxable gross premiums or HMO taxable gross revenues, and 1.75 percent of taxable gross premiums or HMO taxable gross revenues in excess of \$450,000

*Continued on the following page*

TABLE 1 (continued)  
**Tax Rates and Bases for Texas State Taxes**  
**Fiscal 2016**

<b>Tax</b>	<b>Rate and Base</b>
<b>Insurance Premium Tax</b> (Licensed Captive Insurers)	0.5 percent of taxable premium receipts
<b>Insurance Premium Tax</b> (Property and Casualty Insurance)	1.6 percent of taxable premium receipts
<b>Insurance Premium Tax (Title Insurance)</b>	1.35 percent of taxable premiums
<b>Insurance Premium Tax</b> (Unauthorized, Independently Procured, and Surplus Lines)	4.85 percent of taxable premiums
<b>Liquefied and Compressed Natural Gas Tax</b>	15 cents per gallon of liquefied natural gas (LNG) and compressed natural gas (CNG)
<b>Liquor Tax</b>	\$2.40 per gallon
<b>Malt Liquor (Ale) Tax</b>	19.8 cents per gallon (\$6.138 per 31-gallon barrel)
<b>Manufactured Housing Sales and Use Tax</b>	5.0 percent of 65 percent or 0.0325 of the sales price to be paid on the initial sale or use in this state of a new manufactured home
<b>Mixed Beverage Gross Receipts Tax</b>	6.7 percent of the gross receipts from alcoholic beverage sales (eff. 1/1/14); 14.0 percent of the gross receipts from alcoholic beverage sales (prior to 1/1/14)
<b>Mixed Beverage Sales Tax</b>	8.25 percent on the sale of alcoholic beverages (eff. 1/1/14)
<b>Motor Vehicle Rental Tax</b>	10.0 percent of the gross receipts for rentals of 30 days or less; 6.25 percent on rentals of 31 to 180 days
<b>Motor Vehicle Sales and Use Tax</b>	6.25 percent of vehicle sales price, less the value of the trade-in; \$90 tax for a motor vehicle brought into the state by a new resident; \$10 tax paid by donee per motor vehicle gifted; \$5 tax paid by each party in an even exchange; 1 percent or 2.5 percent Texas Emission Reduction Plan (TERP) surcharge on certain diesel truck purchases
<b>Motor Vehicle Sales and Use Tax—Seller-Financed Motor Vehicles</b>	6.25 percent of seller's receipts; 1 percent or 2.5 percent TERP surcharge on certain diesel truck purchases
<b>Natural Gas Production Tax</b>	7.5 percent of the market value of gas produced in the state; condensate 4.6 percent
<b>Oil Production Tax</b>	4.6 percent of the market value of oil produced in the state
<b>Oil Well Service Tax</b>	2.42 percent of the gross receipts for specific services to oil and gas wells
<b>Public Utility Gross Receipts Assessment</b>	1/6 of 1.0 percent of gross receipts
<b>Sales and Use Tax</b>	6.25 percent of the purchase price of tangible personal property and selected services
<b>Wine Tax</b>	20.4 cents per gallon for alcoholic volume not over 14 percent; 40.8 cents per gallon for alcoholic volume over 14 percent; 51.6 cents per gallon for sparkling wine

*Concluded on the following page*

TABLE 1 (concluded)  
**Taxes Repealed or Abolished  
 Since 1972**

<b>Year Repealed</b>	<b>Tax</b>
1976	Express Company Tax
1982	State Ad Valorem Tax
1983	Occupation Tax on Pistol Dealers
1983	Occupation Tax on Billiard Table Owners or Operators
1983	Occupation Tax on Quotation Services
1983	Occupation Tax on Ship Brokers
1983	Occupation Tax on Brokers and Factors
1985	Car Company Tax
1985	Telegraph Tax
1988	Telephone Company Tax
1993	Bingo Gross Receipts Tax
1997	Bedding Stamp Tax
1997	Interstate Motor Carrier Sales and Use Tax
2015	Airline/Passenger Train Beverage Tax
2015	Attorney Occupation Tax
2015	Bingo Rental Tax
2015	Controlled Substances Tax
2015	Fireworks Tax
2015	Inheritance Tax
2015	Liquefied Gas Tax
2015	Oil Regulation Tax
2015	Sulphur Production Tax

TABLE 2  
**Legislative Sessions and Associated  
Major Tax, Fee, and Revenue-Related Bills, 1971-2015**

Year	Session/ Bill Number	Effect	Session Dates
<b>62nd Legislature</b>			
1971	62nd Legislature, Regular Session . . . . .		January 12—May 31, 1971
	62nd Legislature, 1st Called Session . . . . .		June 1—June 4, 1971
1972	62nd Legislature, 2nd Called Session . . . . .		March 28—March 30, 1972
	62nd Legislature, 3rd Called Session . . . . .		June 14—July 7, 1972
	62nd Legislature, 4th Called Session . . . . .		September 18—October 17, 1972
<b>63rd Legislature</b>			
1973	63rd Legislature, Regular Session . . . . .		January 9—May 28, 1973
	63rd Legislature, 1st Called Session . . . . .		December 18—December 20, 1973
<b>64th Legislature</b>			
1975	64th Legislature, Regular Session . . . . .		January 14—June 2, 1975
	HB 546 Express Company tax abolished; Cigar tax reduced; Franchise tax base reduced and surtax eliminated		
	HB 819 Public Utility Gross Receipts assessment enacted		
	SB 28 Insurance Maintenance tax (prepaid legal services) enacted		
	SB 180 Insurance Maintenance tax (HMOs) enacted		
<b>65th Legislature</b>			
1977	65th Legislature, Regular Session . . . . .		January 11—May 30, 1977
	HB 1484 Cigar tax reduced		
	HB 1537 Motor Vehicle Certificate of Title fees increased		
	SB 1302 Motor Vehicle Inspection fee increased		
	65th Legislature, 1st Called Session . . . . .		July 11—July 21, 1977
1978	65th Legislature, 2nd Called Session . . . . .		July 10—August 8, 1978
	HB 1 Sales and Use and Inheritance tax relief		
	HJR 1 State Property tax relief		
<b>66th Legislature</b>			
1979	66th Legislature, Regular Session . . . . .		January 9—May 28, 1979
	HB 726 Air Pollution Control fees enacted		
	HB 1297 Insurance Maintenance tax (aircraft) enacted		
	SB 43 Motor Vehicle Inspection fee increased		
	SB 747 Insurance Maintenance tax (HMOs) removed		
<b>67th Legislature</b>			
1981	67th Legislature, Regular Session . . . . .		January 13—June 1, 1981
	HB 325 Inheritance tax relief		
	HB 903 Manufactured Housing Sales and Use tax separated from Motor Vehicle Sales and Use tax		
	HB 917 Interstate Motor Carrier tax separated from Motor Vehicle Sales and Use tax		
	HB 1708 Diesel Fuel and Gasoline tax rate reduction for certain transit companies		
	HB 2014 Insurance Premium tax simplification		
	67th Legislature, 1st Called Session . . . . .		July 13—August 11, 1981
1982	67th Legislature, 2nd Called Session . . . . .		May 24—May 28, 1982
	HJR 1 State Property tax abolished		
	67th Legislature, 3rd Called Session . . . . .		September 7—September 9, 1982



TABLE 2 (continued)  
**Legislative Sessions and Associated  
Major Tax, Fee, and Revenue-Related Bills, 1971-2015**

Year	Session/ Bill Number	Effect	Session Dates
<b>68th Legislature</b>			
1983	68th Legislature, Regular Session		January 11—May 30, 1983
	HB 1122	Occupation taxes on pistol dealers, quotation services, billiard table owners or operators, ship brokers, and brokers and factors abolished	
	HB 2108	Cigarette tax speed-up	
	SB 288	Motor Vehicle Certificate of Title and Driver License fees increased	
	SB 444	Motor Vehicle Inspection fee increased	
	SB 713	Motor Vehicle Sales and Use tax speed-up	
	SB 985	Sales and Use tax speed-up	
	SB 986	Public Utility Gross Receipts assessment speed-up	
	SB 987	Insurance Premium tax speed-up	
	SB 988	Oil Production, Natural Gas, and Motor Fuel tax speed-up	
	68th Legislature, 1st Called Session		June 22—June 25, 1983
1984	68th Legislature, 2nd Called Session		June 4—July 3, 1984
	HB 122	Omnibus tax bill: Sales and Use, Motor Vehicle Sales and Use, Motor Fuel, Hotel Occupancy, Cigarette and Tobacco, Alcoholic Beverage, and Franchise taxes increased; Sales and Use tax base broadened; Insurance Premium tax prepayment schedule adopted; Motor Vehicle Registration fees increased; Higher Education tuition fees increased for non-resident and foreign students; other measures	
<b>69th Legislature</b>			
1985	69th Legislature, Regular Session		January 8—May 27, 1985
	HB 1132	Airline Beverage tax extended to passenger trains	
	HB 1593	Omnibus tuition and fee bill: Higher Education tuition fees and other fees increased	
	HB 1949	Sales and Use tax expanded to include telephone communication services (from Telephone Company tax); Telegraph tax repealed	
	HB 2359	Waste Disposal Facilities, Generators and Transporters fees enacted	
	SB 237	Car Company tax repealed	
	69th Legislature, 1st Called Session		May 28—May 30, 1985
1986	69th Legislature, 2nd Called Session		August 6—September 4, 1986
	69th Legislature, 3rd Called Session		September 8—September 30, 1986
	HB 79	Sales and Use and Motor Fuel taxes increased (temporary)	
<b>70th Legislature</b>			
1987	70th Legislature, Regular Session		January 13—June 1, 1987
	HB 1123	Airline/Passenger Train Beverage tax extended to limousines	
	HB 1610	Motor Vehicle Inspection fee increased	
	HB 2022	Insurance Maintenance tax (life, accident and health) enacted; Insurance Maintenance tax (HMOs) re-enacted	
	SB 229	Public Utility Gross Receipts assessment base expanded	
	SB 873	Insurance Premium tax (title) separated from Insurance Premium tax (property and casualty)	
	70th Legislature, 1st Called Session		June 2—June 3, 1987
	SB 2	Office of Public Insurance Counsel (OPIC) assessment enacted	
	70th Legislature, 2nd Called Session		June 22—July 20, 1987
	HB 61	Omnibus tax bill: Sales and Use, Motor Vehicle Sales and Use, Hotel Occupancy, and Cigarette and Tobacco taxes increased; Sales and Use tax base broadened; Insurance Premium tax (Administrative Services) enacted; Franchise and Insurance Premium surtaxes enacted (temporary); Professional fees increased (temporary); Attorney Licensure tax (temporary) enacted; Telephone Company tax repealed; other measures	

TABLE 2 (continued)  
**Legislative Sessions and Associated  
Major Tax, Fee, and Revenue-Related Bills, 1971-2015**

Year	Session/ Bill Number	Effect	Session Dates
<b>70th Legislature (concluded)</b>			
	HB 62	Motor Fuel tax increase (temporary) made permanent	
	HB 170	Insurance Maintenance tax (third party administrators) enacted	
<b>71st Legislature</b>			
1989	71st Legislature, Regular Session . . . . .		January 10—May 29, 1989
	HB 24	Controlled Substances tax enacted	
	HB 112	Sales and Use tax exemption for machinery and equipment speed-up	
	HB 174	Public Utility Gross Receipts assessment base expanded	
	HB 428	Oil Production tax reduction for certain Enhanced Oil Recovery (EOR) production	
	HB 1306	Franchise tax fix	
	HB 1421	Insurance Premium tax (property and casualty) fix	
	HB 1494	Motor Vehicle Inspection fee increased	
	HB 1935	Motor Vehicle Driver License fee increased	
	HB 1954	Insurance Premium tax (life, accident and health) fix	
	HB 2619	Cigarette tax speed-up	
	HB 2945	Gas Utility Pipeline tax fix	
	SB 963	Natural Gas Production tax exemption for high-cost gas	
	SB 1573	Taxes paid under protest deposited into General Revenue	
	71st Legislature, 1st Called Session . . . . .		June 20—July 19, 1989
	HB 40	Oil Production tax reduction for EOR projects accelerated	
	71st Legislature, 2nd Called Session . . . . .		November 14—December 12, 1989
	SB 1	Insurance Maintenance tax (Research and Oversight Council on Workers' Compensation) enacted	
1990	71st Legislature, 3rd Called Session . . . . .		February 27—March 28, 1990
	71st Legislature, 4th Called Session . . . . .		April 2—May 1, 1990
	71st Legislature, 5th Called Session . . . . .		May 2—May 30, 1990
	71st Legislature, 6th Called Session . . . . .		June 4—June 7, 1990
	HB 4	Motor Vehicle Driver License fees increased	
	HB 5	Transportation fees increased	
	HB 6	Sales and Use, Tobacco, and Mixed Beverage taxes increased	
<b>72nd Legislature</b>			
1991	72nd Legislature, Regular Session . . . . .		January 8—May 27, 1991
	HB 2	Insurance Premium tax credits reduced; OPIC assessment expanded to life, accident and health insurance	
	HB 278	Franchise tax expanded to include limited liability companies	
	HB 640	Automobile Theft Prevention Authority fee enacted	
	HB 651	Hotel Occupancy tax exemptions tightened	
	HB 1986	Battery Sales fee enacted	
	SB 14	Coastal Protection fee enacted	
	SB 1105	Oil Production tax rate reduction for EOR projects	
	72nd Legislature, 1st Called Session . . . . .		July 15—August 13, 1991
	HB 11	Omnibus tax bill: Sales and Use tax base broadened; Motor Vehicle Sales and Use and Rental taxes increased; Bingo Gross Receipts tax increased; Franchise tax revamped; Boat and Boat Motor Sales and Use tax separated from Sales and Use tax; Attorney Occupation tax, Bingo Rental tax, and Bingo Prize fee enacted; Professional, Court Cost, General Business Filing, and other fees increased	
	HB 54	State Lottery enacted	
	SB 2	Motor Vehicle Inspection fee increased	
	SB 3	Fiscal Management reform; Motor Vehicle Certificate of Title fee increased	
	72nd Legislature, 2nd Called Session . . . . .		August 19—August 25, 1991
	HB 62	Insurance Maintenance tax surcharge (Workers' Compensation Insurance Fund) enacted	

TABLE 2 (continued)  
**Legislative Sessions and Associated  
Major Tax, Fee, and Revenue-Related Bills, 1971-2015**

Year	Session/ Bill Number	Effect	Session Dates
<b>72nd Legislature (concluded)</b>			
1992	72nd Legislature, 3rd Called Session . . . . .		January 2—January 8, 1992
	72nd Legislature, 4th Called Session . . . . .		November 10—December 3, 1992
<b>73rd Legislature</b>			
1993	73rd Legislature, Regular Session . . . . .		January 12—May 31, 1993
	HB 563	Manufactured Housing Sales and Use tax tightened	
	HB 958	Insurance Premium tax (surplus lines) rate increased	
	HB 995	Motor Vehicle Sales and Use tax—Seller-Financed Motor Vehicles separated from Motor Vehicle Sales and Use tax	
	HB 1445	Airline/Passenger Train Beverage tax base narrowed	
	HB 1461	Insurance Premium tax speed-up and transfer of administration to the Comptroller of Public Accounts	
	HB 1718	Franchise tax credit enacted for wages paid to certain inmates and former inmates	
	HB 1970	Boat and Boat Motor Sales and Use tax base expanded	
	HB 1974	Oil Production and Natural Gas Production tax credits for new field discovery wells	
	HB 1975	Oil Production and Natural Gas Production tax exemptions for three-year inactive wells	
	HB 2723	Oil Production tax cut and Natural Gas Production tax exemption for co-production high-cost gas projects	
	HB 2771	Bingo Gross Receipts tax abolished; Bingo Prize fee increased	
	SB 82	Sales and Use, Franchise, and Hotel Occupancy tax speed-ups; general tax refund for certain wages paid to individuals receiving state assistance	
	SB 83	Public Utility Gross Receipts assessment speed-up	
	SB 466	Oil Production tax reduction for certain EOR projects	
	SB 926	Motor Vehicle Inspection fee increased	
<b>74th Legislature</b>			
1995	74th Legislature, Regular Session . . . . .		January 10—May 29, 1995
	HB 327	Franchise tax credit for certain wages paid to juveniles committed to the Texas Youth Commission	
	HB 398	Natural Gas Production tax high-cost gas program extended and modified to provide a rate reduction for high-cost gas	
	HB 462	Sales and Use tax extended to inmate purchases	
	HB 1089	Insurance Maintenance tax (Workers' Compensation Commission) base expanded	
	HB 2065	Sales and Use tax refund for certain equipment or machinery sales related to enterprise zone projects	
	HB 2128	Public Utility Gross Receipts assessment speed-up extended; Telecommunications Infrastructure Fund assessment enacted	
	HB 2129	Hotel Occupancy tax base expanded	
	SB 3	Interstate Motor Carrier tax repealed	
	SB 60	Concealed Handgun fees enacted	
	SB 345	Franchise and Sales and Use tax refunds for school district taxes paid for certain property	
	SB 401	Comptroller given increased enforcement capabilities	
<b>75th Legislature</b>			
1997	75th Legislature, Regular Session . . . . .		January 14—June 2, 1997
	HB 4	School Property tax homestead exemption increased to \$15,000 from \$5,000	

TABLE 2 (continued)  
**Legislative Sessions and Associated  
Major Tax, Fee, and Revenue-Related Bills, 1971-2015**

Year	Session/ Bill Number	Effect	Session Dates
<b>75th Legislature (concluded)</b>			
	HB 966	Boat and Boat Motor Sales and Use tax base expanded	
	HB 1200	Motor Vehicle Driver License term extended and fee increased correspondingly	
	HB 1387	Automobile Theft Prevention Authority fee speed-up	
	HB 1855	Sales and Use tax exemption for manufacturing property clarified	
	SB 126	Oil Production and Natural Gas Production tax exemption for two-year inactive wells	
	SB 226	Sales and Use tax refunds for certain expenditures related to defense economic readjustment zones	
	SB 249	Telecommunications Infrastructure Fund assessment set at a fixed rate	
	SB 385	OPIC assessment rate increased for life, accident and health insurance	
	SB 582	Oil Production tax EOR exemption application period extended	
	SB 862	Natural Gas Production tax high-cost certification process eased	
	SB 1440	Oil Production and Natural Gas Production tax cut for incremental production from improved oil wells; Natural Gas Production tax exemption for certain vented casinghead gas	
<b>76th Legislature</b>			
1999	76th Legislature, Regular Session . . . . .		January 12—May 31, 1999
	HB 1014	Hotel Occupancy tax exemption for institutions of higher education tightened	
	HB 1837	Insurance Premium tax (property and casualty; title) rate schedules changed to flat rates	
	HB 2615	Natural Gas Production tax two-year inactive well exemption and high-cost gas rate reduction programs extended	
	HB 2816	Petroleum Product Delivery fee rates reduced	
	HB 3159	Diesel Fuel tax exemption for commercial passenger vehicles operating on fixed routes	
	HB 3697	Insurance Maintenance tax surcharge (Workers' Compensation Insurance Fund) and tax credit repealed	
	SB 4	School Property tax relief	
	SB 7	System Benefit Fund fee enacted	
	SB 290	Oil Production and Natural Gas Production tax exemption (temporary) for certain wells under certain market conditions	
	SB 329	Oil Production, Natural Gas, Diesel Fuel, and Gasoline prepayment/ payment speed-up eliminated	
	SB 441	Sales and Use tax clothing holiday and exemptions for over-the- counter drugs and Internet access enacted; Franchise tax exemptions for certain small businesses enacted; various Franchise tax credits enacted	
	SB 530	Insurance Premium tax (life, accident and health) exemption for employee coverage at certain public hospitals	
	SB977	Sales and Use and Motor Vehicle Sales and Use tax exemptions for certain items used in timber production	
<b>77th Legislature</b>			
2001	77th Legislature, Regular Session . . . . .		January 9—May 28, 2001
	HB 1200	Local-option School Property tax relief for corporations creating new jobs and making certain investments	
	HB 2604	Volunteer Fire Department Assistance Fund assessment enacted	
	HB 2687	Petroleum Product Delivery fee reinstated	
	HB 3667	Fireworks tax enacted	

TABLE 2 (continued)  
**Legislative Sessions and Associated  
Major Tax, Fee, and Revenue-Related Bills, 1971-2015**

Year	Session/ Bill Number	Effect	Session Dates
<b>77th Legislature (concluded)</b>			
	SB 2	Omnibus water bill: Sales and Use tax exemptions for certain water-supply and sewer-service corporations and for certain water and waste-water equipment	
	SB 5	Omnibus air quality bill: Special fee for truck trailers and commercial vehicles, commercial motor vehicle inspection fee, surcharge on new or used diesel construction equipment, and special fee on certain vintage on-road diesel motor vehicles enacted; registration fee on vehicles registering in-state for the first time increased; Diesel Fuel tax exemption for certain components of the final product; and created the Texas Emissions Reduction Plan fund	
	SB 63	Franchise tax credit for wages paid to persons with certain disabilities	
	SB 317	Exempts sales-leaseback transactions under the Finance Code from Sales and Use tax	
	SB 601	Insurance Premium tax credit for certain investments in certified capital companies (to be implemented only upon the Comptroller's certification of available revenues)	
	SB 1839	Nursing Home Stabilization Reserve Fund Bond Debt Service Maintenance tax surcharge enacted	
<b>78th Legislature</b>			
2003	78th Legislature, Regular Session . . . . .		January 14—June 2, 2003
	HB 1365	Omnibus air quality bill: Off-road heavy-duty diesel Sales and Use tax surcharge increased and broadened; large on-road diesel Motor Vehicle Sales and Use tax surcharge extended; Motor Vehicle Certificate of Title renewal fees increased	
	HB 2292	Insurance Premium and Maintenance tax bases broadened to include certain CHIP and Medicaid premiums and revenues	
	HB 2424	Natural Gas Production tax high-cost gas program made permanent; Oil Production tax EOR program made permanent	
	HB 2425	Natural Gas Production tax high-cost gas program filing requirements tightened; Insurance Premium tax credit for certain investments in certified capital companies program re-enacted; various Sales and Use tax administration issues clarified	
	HB 2458	Motor Fuel tax collection moved to the terminal rack from the motor fuel wholesalers	
	HB 3459	Telecommunications Infrastructure Fund assessment extended	
	78th Legislature, 1st Called Session . . . . .		June 30—July 28, 2003
	78th Legislature, 2nd Called Session . . . . .		July 28—August 26, 2003
	78th Legislature, 3rd Called Session . . . . .		September 15—October 12, 2003
2004	78th Legislature, 4th Called Session . . . . .		April 20—May 17, 2004
<b>79th Legislature</b>			
2005	79th Legislature, Regular Session . . . . .		January 11—May 30, 2005
	HB 2161	Various Natural Gas and Oil Production tax incentives for low- producing and orphaned wells and the installation of enhanced energy efficient equipment	
	HB 2201	Provided jurisdictional oversight to certain Texas regulatory agencies regarding carbon dioxide injection associated with the Department of Energy's FutureGen Project; extends the current appraisal value limitation to include such projects; allows corporations to deduct certain costs of equipment used in such projects	
	HB 2481	Extended the motor vehicle-related surcharges funding the Texas Emissions Reduction Plan (TERP)	

TABLE 2 (continued)  
**Legislative Sessions and Associated  
Major Tax, Fee, and Revenue-Related Bills, 1971-2015**

Year	Session/ Bill Number	Effect	Session Dates
<b>79th Legislature (concluded)</b>			
	HB 2883	Insurance Premium tax (Life, Accident and Health) credits increased	
	SB 796	Boxing Admissions tax revamped and renamed "Combative Sports tax."	
	SB 1863	Petroleum Products Delivery fee reduction for 2006-07 rescinded; Coastal Protection fee reduced; Telecommunications Infrastructure Fund assessment extended	
	79th Legislature, 1st Called Session		June 21—July 20, 2005
	79th Legislature, 2nd Called Session		July 21—August 19, 2005
2006	79th Legislature, 3rd Called Session		April 17—May 16, 2006
	HB1	Established procedures to phase down average School Property tax rates to \$1.00 per \$100 valuation via dedication of certain additional Franchise, Cigarette, Tobacco Products, and Motor Vehicle Sales tax revenues	
	HB 2	Created the Property Tax Relief Fund	
	HB 3	Franchise tax restructured	
	HB 4	Motor Vehicle Sales tax computation for private-party sales of used motor vehicles revised	
	HB 5	Cigarette and Tobacco Products tax rates increased	
<b>80th Legislature</b>			
2007	80th Legislature, Regular Session		January 9—May 28, 2007
	HB 735	Telecommunications Infrastructure Fund assessment repealed	
	HB 1332	Refund or credit for Diesel Fuel tax used in manufacturing or as a feedstock	
	HB 1459	Sales and Use tax exemption for coin operated pay phones	
	HB 1741	Insurance Premium tax credit for certain investments in certified capital companies renewed for a second round of investments and credits	
	HB 1751	Sexually-Oriented Business Admissions fee enacted	
	HB 1849	Life Insurance Valuation fee and corresponding Insurance Premium tax credit repealed	
	HB 2982	Natural Gas and Oil Production tax credit for qualifying low- production leases expiration date repealed	
	HB 3314	Oil Production tax credit for enhanced efficiency equipment ending date extended; allowed a Diesel Fuel, Gasoline, and Liquefied Gas credit or refund for certain metropolitan rapid transit authorities	
	HB 3315	Volunteer Fire Department Assistance Fund assessment increased and ending date repealed	
	HB 3319	Sales and Use tax holiday on clothing and footwear expanded to include backpacks; Motor Vehicle Sales and Use tax exemption provided for certain hydrogen power-capable vehicles; removed limitations from the Sales tax exemption for pharmaceutical biotechnology cleanrooms; excluded services performed by a "landman" from the definition of a real property service	
	HB 3554	Petroleum Products Delivery fee extended at a reduced rate	
	HB 3693	Sales tax holiday for certain energy efficient products	
	HB 3694	Provided a Franchise tax credit for certain capital investments in qualifying enterprise projects and a Sales and Use tax refund for purchases used at a qualified business site in an enterprise zone	
	HB 3732	provided an Oil Production tax exemption for enhanced energy recovery projects using anthropogenic carbon dioxide	
	HB 3928	Franchise tax revised to exempt taxable entities with revenues of \$300,000 or less and to provide tax discounts based on increments of total revenue less than \$900,000	
	SB 12	Extended the motor vehicle-related surcharges funding the Texas Emissions Reduction Plan (TERP)	



TABLE 2 (continued)  
**Legislative Sessions and Associated  
Major Tax, Fee, and Revenue-Related Bills, 1971-2015**

Year	Session/ Bill Number	Effect	Session Dates
<b>81st Legislature</b>			
2009	81st Legislature, Regular Session		January 13—June 1, 2009
	HB 469	Provided Franchise tax credits, Sales and Use tax exemptions, and Property tax abatements for certain clean energy projects	
	HB 1796	Extended the motor vehicle-related surcharges funding the Texas Emissions Reduction Plan (TERP)	
	HB 1801	Sales and Use tax holiday on clothing and footwear expanded to certain school supplies	
	HB 2154	Change taxation of Tobacco Products from a value-based to a weight-based tax	
	HB 3433	Revised process for registering certain commercial motor vehicle fleets	
	HB 4409	Eliminated Insurance Premium tax credits for Texas Windstorm Insurance Association (TWIA) assessments	
	HB 4765	Increased the total revenue amount at which a taxable entity would owe no Franchise tax to \$1million from \$300,000	
	SB 254	Volunteer fire departments exempted from Gasoline and Diesel Fuel taxes	
	SB 958	Sales and Use tax exemption created for machinery and equipment used in an agricultural aircraft operation	
	81st Legislature, 1st Called Session		July 1—July 2, 2009
<b>82nd Legislature</b>			
2011	82nd Legislature, Regular Session		January 11—May 30, 2011
	HB 1	Directed the Comptroller to conduct a limited-duration tax amnesty program to encourage voluntary tax reporting by businesses	
	HB 1541	Increased the Automobile Burglary and Theft Protection fee	
	HB 2694	Reauthorized Petroleum Product Delivery fee	
	SB 776	Revised the procedures for licensed customs brokers, and increased the charge for an export stamp	
	82nd Legislature, 1st Called Session		May 31—June 29, 2011
	SB 1	Fiscal management bill: accelerated collections from the Sales, Gasoline, Diesel Fuel, Cigarette, and Alcoholic Beverage taxes at the end of fiscal 2013; temporarily disallowed certain Insurance Premium tax credits; repealed Sales and Franchise tax refunds for School Property taxes paid in reinvestment zones; lowered the cigarette distributor stamping allowance; assessed a penalty for late report filing on payers of certain taxes and fees; and extended the \$1 million total revenue threshold for Franchise tax liability.	
<b>83rd Legislature</b>			
2013	83rd Legislature, Regular Session		January 8—May 27, 2013
	HB 7	Directed the Comptroller to collect a Volunteer Fire Department Assistance Fund assessment.	
	HB 500	Temporarily reduced Franchise tax rates; provided an additional margin calculation of total revenue minus \$1 million; added exclusions and modified certain tax components affecting tax calculation for certain entities; added a tax credit for rehabilitation of certified historic structures.	
	HB 800	Provided a Franchise tax credit for certain research and development activities.	
	HB 2148	Imposed a \$0.15 per gallon tax on certain sales of compressed natural gas (CNG) and liquefied natural gas (LNG).	
	HB 2446	Amended Franchise tax provisions relating to clean energy projects.	
	HB 2451	Amended Franchise tax provisions relating to agricultural aircraft operations.	
	HB 2766	Franchise tax was amended to clarify treatment of certain flow-through funds mandated by contract or subcontract.	
	HB 3086	Relating to the Diesel Fuel tax and biodiesel.	

TABLE 2 (concluded)  
**Legislative Sessions and Associated  
Major Tax, Fee, and Revenue-Related Bills, 1971-2015**

Year	Session/ Bill Number	Effect	Session Dates
<b>83rd Legislature (concluded)</b>			
	HB 3572	Lowered the Mixed Beverage Gross Receipts tax from 14 percent to 6.7 percent and imposed an 8.25 percent Mixed Beverage Sales tax.	
	SB 559	Repealed provisions of SB 1, 82nd Legislature, First Called Session, that accelerated collections from the Sales, Gasoline, Diesel Fuel, Cigarette, and Alcoholic Beverage taxes and the payment of Lottery funds to the Foundation School Fund at the end of fiscal year 2013.	
	SB 734	Allowed licensing of domestic captive insurance companies.	
	SB 905	Distiller's and rectifier's permittees allowed to sell distilled spirits for on- and off-premises consumption and added the permittees to the definition of a mixed beverage permit.	
	83rd Legislature, 1st Called Session		May 27—June 25, 2013
	83rd Legislature, 2nd Called Session		July 1—July 30, 2013
	83rd Legislature, 3rd Called Session		July 30—August 5, 2013
	SJR 1	Directed up to one-half of revenue associated with Crude Oil and Natural Gas tax collections, previously dedicated to the Economic Stabilization Fund (ESF), be deposited to the credit of the State Highway Fund; remainder would continue to be deposited to the ESF.	
<b>84th Legislature</b>			
2015	84th Legislature, Regular Session		January 13—June 1, 2015
	HB 7	Repealed the Attorney Occupation tax; as well as the additional \$200 surcharge on selected professional license fees, such as paid by dentists, engineers, accountants, architects, psychologists, and veterinarians, and physicians.	
	HB 32	Reduced Franchise tax rates by one-quarter.	
	HB 1905	Repealed three taxes entirely: the Bingo Rental tax, the Airline/Passenger Train Beverage tax, and the Controlled Substances tax. Also repealed the tax on liquefied gas (including liquefied petroleum gas) as a motor fuel; compressed and liquefied natural gas as motor fuels remained taxable. Motor Fuel tax exemptions, varying in scope, for: certain nonprofits, municipalities, and transit authorities.	
	HB 2358	Exempted out-of-state businesses operating in Texas solely for work related to disasters and/or emergencies from taxation, including Sales and Use and Franchise tax.	
	HB 2712	Provided enhanced Sales and Use tax exemptions with respect to large data centers.	
	HB 2896	Amended Franchise tax regarding apportionment of receipts to Texas of broadcasting businesses.	
	SJR 5	Amended the Texas constitution to annually transfer Sales and Use tax collections, above a certain amount and not to exceed \$2.5 billion, to the State Highway Fund beginning in 2018. A similar dedication of Motor Vehicle Sales and Use tax would begin in 2020. Both dedications expire, unless continued by a vote of the Legislature.	
	SB 724	Exempted certain school buses from the Motor Vehicle Sales and Use tax.	
	SB 752	Repealed the state Inheritance tax.	
	SB 755	Exempted from Sales and Use tax, as a sale for resale, certain sales of computer programs to providers of Internet hosting services.	
	SB 757	Repealed the Crude Oil Regulatory tax and the Sulphur Production tax.	
	SB 761	Repealed the 2 percent Fireworks tax. The retail sale of fireworks would continue to be taxable under the Sales and Use tax.	
	SB 904	Added three-day annual Sales and Use tax holiday for emergency preparation items.	
	SB 1049	Exempted new veteran-owned businesses from Franchise tax for their first five years.	
	SB 1356	Added new three-day Sales and Use tax holiday for certain water-conserving products.	
	SB 1396	Added new Tax Code chapter, and amended the Sales and Use tax, to clarify the taxation of aircraft.	



# SOURCES OF REVENUE

A History of State Taxes and Fees in Texas 1972-2016

## Texas Taxes and Fees

### What's the Difference Between a Tax and a Fee?

There is no one universally agreed upon distinction between taxes and fees, and many people may not be able to tell the difference when paying a government levy. Unfortunately, the Texas Tax Code is of little help. For administrative purposes, it defines a tax and fee as the same thing. See Texas Tax Code § 101.003(13) which states “‘Tax’ means a tax, fee, assessment, charge, or other amount that the comptroller is authorized to administer.”

Most distinctions between taxes and fees concentrate on both the use of the revenue and whether the levy is associated with some direct government resource the payer is accessing in conjunction with the levy (e.g., a “user fee.”) Joseph Henchman of the Tax Foundation, a non-partisan private sector think tank, articulates this view succinctly by stating, “A tax has the primary purpose of raising revenue. By contrast, a fee recoups the cost of providing a service from a beneficiary.

The IRS has taken a similar approach for federal income tax purposes:

*“A tax is an enforced contribution ... imposed and collected for the purpose of raising revenue to be used for public or governmental purposes. Taxes are not payments for some special privilege granted or service rendered and are, therefore, distinguishable from various other charges imposed for particular purposes under particular powers or functions of government.”*  
Rev. Rul. 77-29 (I.R.S. 1977).

### Texas Taxes

This section discusses the major state taxes currently collected in Texas. A few relatively minor taxes, e.g., the Coin-Operated Amusement Machine tax and the Combative Sports Admissions tax, are excluded. The 84th Legislature (2015) repealed the following taxes, most of which were discussed in the previous edition of *Sources of Revenue*: the Airline/Passenger Train Beverage tax, the Attorney Occupation tax, the Bingo Rental tax, the Controlled Substances tax, the Fireworks tax, the Inheritance tax, the Liquefied Gas tax, the Oil Regulation tax, and the Sulphur Production tax.

The *universe of goods or services* subject to a tax is referred to as the “tax base.” This term should not be confused with the “underlying base,” which refers to the revenues that *would have been collected* using the tax rate and tax base as they existed under the 1972 Tax Code. Table 3 shows average annual growth rates for categories of state taxes, for selected periods of time since 1972. The table also compares those rates of growth with those of personal income and of the combination of inflation and population.

### Sales and Use Taxes

The group of taxes representing the largest amount of tax revenue, by far, of the state’s categories of taxes is the sales and use tax group. This group consists of the state’s single largest tax, the 6.25 percent Limited Sales and Use tax—commonly referred to as the Sales and Use tax or simply the sales tax—which most individuals and businesses pay on a regular basis, as well as the Boat and Boat Motor sales tax. The group previously included the 2 percent Fireworks tax which was (see above) repealed in 2015. Since

fiscal 1967, this group of taxes (at times represented by one, two, or all three of the aforementioned taxes) has reigned as the state's single largest source of tax revenue. In 1972, the category accounted for 35.2 percent of total tax collections; by 2016, its share had risen to 58.3 percent. (See Charts 1 and 2.)

The sales tax group of taxes generated \$28.25 billion in fiscal 2016: \$28.18 billion, 99.8 percent or virtually all, from the Sales and Use tax; 0.2 percent from the Boat and Boat Motor Sales tax.

In 1972, Texas' Sales and Use tax rate was 4 percent, the same as 15 other states and the ninth highest rate in the nation. Between 1972 and 2001, the Legislature increased the rate four times (once temporarily, three times permanently) to the current 6.25 percent. (See Appendix B.) Since 1972, the Legislature broadly expanded the Sales and Use tax base two times, in 1984 and 1987, to cover a wider range of taxable goods and services. (See Appendix C.) As of September 2016, 45 states levied a sales and use tax, with 12 imposing a higher statewide rate than Texas. Texas, at 6.25 percent, is tied with Illinois and Massachusetts at the 13th highest state sales tax rate; California has the highest rate at 7.50 percent (See Appendix D-2.)

Overall sales tax category collections totaled \$824 million in 1972; in 2016 collections reached \$28.25 billion, an 8.4 percent average annual growth rate for the 44-year period. (See Table 3 and Appendix G.) Over this period, however, the growth rate varied considerably. From 1972 to 1983, when the tax rate of the Sales and Use tax remained constant at 4 percent (the Boat and Boat Motor tax had not yet been enacted; boats were generally taxed under the Sales and Use tax until fiscal 1992), the average annual growth rate was 13.5 percent. From 1983 to 1992, average annual growth dropped slightly to 11.1 percent, despite the aforementioned base broadening and rate increases. From 1992 to 2001, the average annual growth slowed to 6.2 percent.

As the effects of the 2001 U.S. recession began to be felt in Texas, annual category collections fell 1.0 percent to \$14.5 billion in fiscal 2002; receipts dropped another 1.6 percent, to \$14.3 billion, in fiscal 2003. The 2002 decline was the first annual decrease since 1983, when collections fell by 4.5 percent.

As the economy improved in 2003, so did sales tax collections. From 2003 to 2008, collections registered 8.6 percent average annual growth, peaking at 12.0 percent in 2006.

In 2009, another recession (the "Great Recession") began to severely impact the Texas economy, and group collections declined that year by 2.7 percent. The rate of decline accelerated to 6.6 percent in 2010, the steepest annual decline since 1972. During this two-year period collections fell by an average of 4.7 percent each year.

In 2011, category revenues rebounded strongly as the economy recovered, receiving a boost from activity in the rapidly growing shale oil plays in the Eagle Ford and Permian Basin areas, with collections growing by 9.4 percent. Sales tax growth continued to be strong as the general economy (and oil exploration) continued to improve with increases of 12.6 percent in 2012 and 7.2 percent in 2013. While still growing in 2014 and 2015, sales tax category revenue retrenched by 2.3 percent in 2016 as growth in the broader Texas economy slowed down (though still expanding) while, driven by the collapse in oil prices and drilling activity, Sales and Use tax receipts from the oil and gas sector plunged. The average growth rate over the period 2010 through 2016 of the sales and use tax group was 6.3 percent—in line with average measures of economic growth, but not capturing the year-to-year revenue volatility of that time frame.

The Boat and Boat Motor sales tax was enacted in 1991 at 6.25 percent. It applies to all but the very smallest, self-propelled boats; it is not applicable to craft over 65 feet in length. The Boat and Boat Motor sales tax, unlike the Sales and Use tax, does not have the up-to-two-percent local option sales taxes. In 1992, the first year of collections, the tax generated \$17.0 million; revenue was \$41.9 million by 1999. Buffeted by two recessions, the tax has grown more slowly since, reaching almost \$67 million—roughly 2/10s of one percent of total sales tax group collections in fiscal 2016.

Sales and Use Tax revenue (but not Boat Tax revenue) is affected by the amendment to the Texas Constitution approved by voters in November 2015 (see further discussion under the section on Motor Vehicle Sales Taxes). To provide additional funding for road construction and

CHART 1  
**Fiscal 1972 Total State Tax Revenue by Source**  
**\$2.344 Billion**  
**All Funds Excluding Trust**

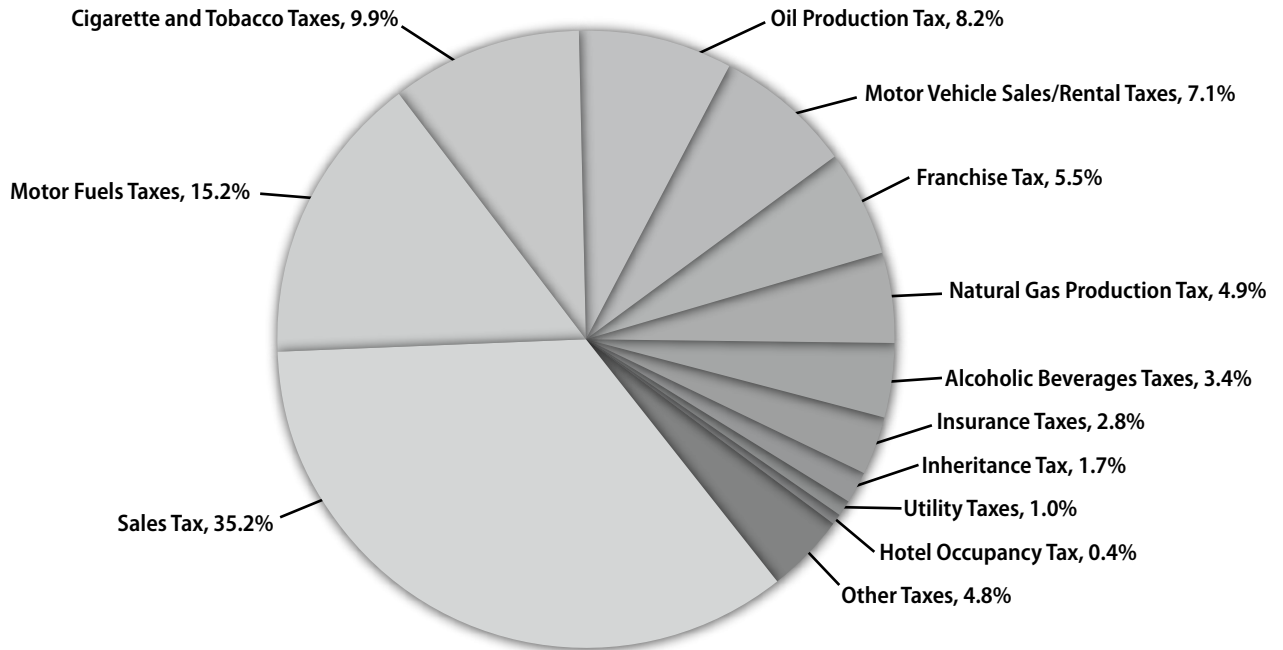
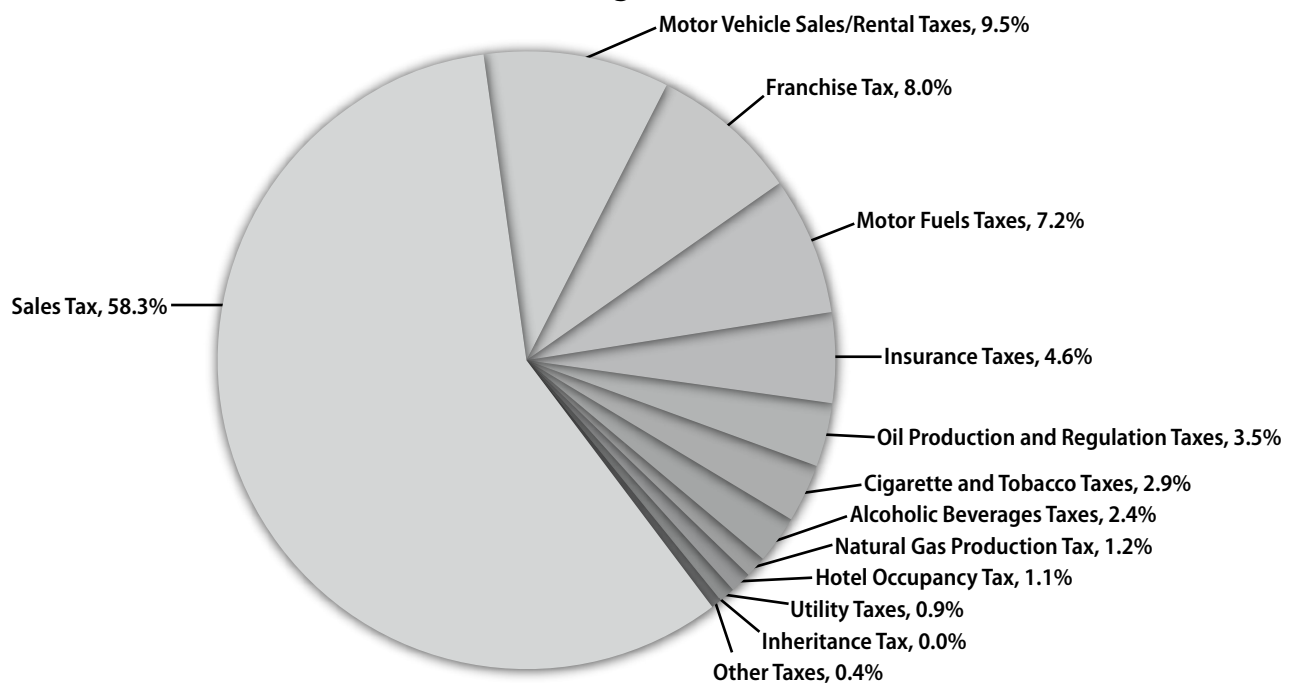


CHART 2  
**Fiscal 2016 Total State Tax Revenue by Source**  
**\$48.476 Billion**  
**All Funds Excluding Trust**



Source: Texas Comptroller of Public Accounts

TABLE 3  
**State Tax Collections**  
**Average Annual Growth Rates for Selected Periods, Fiscal 1972-2016**

	Fiscal 1972 through Fiscal 1983	Fiscal 1983 through Fiscal 1992	Fiscal 1992 through Fiscal 2001	Fiscal 2001 through Fiscal 2003	Fiscal 2003 through Fiscal 2008	Fiscal 2008 through Fiscal 2010	Fiscal 2010 through Fiscal 2016	Fiscal 1972 through Fiscal 2016
Personal Income	13.2%	6.1%	7.3%	2.4%	7.8%	(0.5)%	5.7%	7.7%
Inflation x Population	11.1%	5.3%	4.8%	3.6%	5.2%	2.6%	3.3%	6.1%
Sales Taxes	13.5%	11.1%	6.2%	(1.3)%	8.6%	(4.7)%	6.3%	8.4%
Oil Production Tax	18.0%	(8.9)%	(1.6)%	(2.2)%	27.7%	(16.2)%	9.1%	5.1%
Natural Gas Production Tax	22.4%	(8.1)%	13.8%	(18.1)%	20.2%	(48.0)%	(3.7)%	3.8%
Motor Fuels Taxes	3.0%	16.6%	3.9%	1.3%	1.8%	(1.0)%	2.4%	5.3%
Motor Vehicle Sales and Rental Taxes	12.1%	8.5%	10.1%	(3.7)%	4.4%	(11.3)%	9.8%	7.8%
Franchise Tax	14.2%	7.8%	6.7%	(6.4)%	21.0%	(6.9)%	0.1%	8.0%
Cigarette and Tobacco Taxes	3.9%	5.7%	0.0%	(0.2)%	19.9%	(2.0)%	(0.0)%	4.1%
Alcoholic Beverage Taxes	11.9%	4.0%	3.8%	2.4%	6.7%	1.6%	6.5%	6.4%
Insurance Taxes	11.7%	9.8%	5.3%	19.4%	4.4%	(4.4)%	9.0%	8.3%
Utility Taxes	22.5%	(0.3)%	5.1%	(1.6)%	8.9%	(2.5)%	(1.6)%	6.8%
Inheritance Tax	7.6%	5.3%	9.6%	(23.9)%	(50.5)%	(87.9)%	(100.0)%	(100.0)%
Hotel Occupancy Tax	15.2%	13.6%	7.7%	(3.9)%	10.2%	(5.6)%	7.9%	9.8%
Other Taxes	(0.3)%	(7.9)%	(2.3)%	2.5%	32.1%	(9.9)%	4.2%	1.1%
All Taxes	12.4%	7.2%	6.2%	(2.0)%	9.6%	(7.5)%	5.4%	7.1%

maintenance, each net dollar of collections—after reaching \$28 billion in a year and up to an annual maximum of \$2.5 billion—is to be sent to the State Highway Fund. After the maximum of \$2.5 billion is reached, all remaining collections beyond \$30.5 billion would be deposited in the manner otherwise provided by law. These new provisions would expire at the end of fiscal 2032, unless extended by vote of the Legislature.

### Franchise Tax

A corporate income tax is the principal tax on business entities in 47 states. (See Appendix D-3.) Currently in Texas, corporations, partnerships, limited liability companies and other forms of business pay the state Franchise tax; Texas does not have a corporate income tax. Prior to 2008, only corporations and limited liability companies were subject to the franchise tax.

Over the years, this tax revenue has fluctuated, in part because of court challenges, base erosion, and tax planning opportunities. In fiscal 1972, the tax was levied at an effective rate of \$4.25 per \$1,000 of taxable capital, and it produced \$128.8 million in tax revenues that year — 5.5 percent of all state tax revenues. Between 1972 and 1983,

revenues grew at a 14.2 percent average annual rate. (See Table 3.)

By 1986, one year after a rate hike to \$5.25 per \$1,000 of taxable capital, the tax generated \$901.0 million, and accounted for 8.8 percent of state tax revenues. (See Appendix B.) However, by 1990, net revenues had fallen by a third to slightly below \$600 million.

In an effort to stabilize the base and spread the tax burden more equitably, the Legislature rewrote the Franchise tax in 1991 and added a new base component — earned surplus — defined roughly as federal taxable income plus officer and director compensation. The revamped tax imposed a 4.5 percent tax on earned surplus and reduced the basic tax rate to \$2.50 per \$1,000 of taxable capital, down from \$5.25. Taxpayers paid the higher of the tax calculated on each of the two base components. By 1999, Franchise tax revenues had climbed to \$2.1 billion and accounted for 8.8 percent of total state tax revenues.

In contrast to the 6.7 percent average annual growth rate for the 1992-2001 period, Franchise tax revenues declined by an average of 6.4 percent per year during the 2001-03 economic downturn, falling to \$1.7 billion in 2003. Revenues climbed to \$3.1 billion in 2007, the final year of col-



lections under the earned surplus-based tax structure, a 16.3 percent average annual growth rate from 2003. These gains were propelled in large part by particularly high returns in the energy industry.

In response to the need for more state revenue to fund school property tax relief and mounting concern over the long-term viability of the tax (notably, increasing use of “loopholes”) the Legislature made a substantial Franchise tax change in 2006 during the 79th Legislature, 3rd Called Session. The changes made limited partnerships, certain general partnerships, business trusts, and others subject to the tax. Sole proprietorships, general partnerships directly owned only by natural persons, and passive entities are not subject to the tax.

The former tax base of earned surplus and capital was replaced with a firm’s “margin,” defined as total revenue less the greater of: 1) the cost of goods sold, 2) total compensation or 3) 30 percent of total revenue. For most taxable entities, the tax rate on margin was set to 1 percent. Firms in retail and wholesale trade, however, paid at 0.5 percent. The Legislature set these and other changes to the Franchise tax to take effect for reports due after January 1, 2008, making fiscal 2008 the first year in which the changes had an effect on revenue.

The rebased Franchise tax produced almost \$4.5 billion in 2008, 41.6 percent more than in 2007 under the old base. Of that amount \$1.6 billion was placed into the Property Tax Relief Fund and the remainder went to the General Revenue Fund. The division of Franchise tax revenue between the funds is based on the Comptroller’s estimate of the revenue that would have been generated if changes to the law enacted in 2006 had not been passed. Franchise tax collections in excess of that estimate are deposited in the Property Tax Relief Fund.

For filing year 2014, the Legislature temporarily reduced the one percent tax rate to 0.975 percent and the 0.5 percent tax rate (for those in the wholesale and retail trades) to 0.4875 percent, along with the permanent addition of a fourth margin calculation of total revenue minus \$1 million and a \$1 million total revenue no-tax-due threshold. The two primary tax rates were temporarily lowered again for filing year 2015 to 0.95 / 0.475 percent.

In 2015, the 84th Legislature permanently reduced the primary franchise tax rates from 1.0 to 0.75 percent / 0.5 to 0.375 percent beginning with filing year 2016.

In 2016, total franchise tax collections were \$3.88 billion. The average annual growth rate of the franchise tax (across several tax bases and multiple rates) has been 8.0 percent from 1972 through 2016.

## Severance Taxes

The Oil Production tax has been levied at its current rate, 4.6 percent of the taxable value of oil produced, since 1951; no other major state tax rate has remained unchanged for so long. Despite the long-term rate stability, tax receipts have exhibited large swings in response to the rise and fall of Texas oil production and the price of oil. Another tax on oil production, the Oil Regulation tax, was previously levied at three-sixteenths of one cent per barrel (and only periodically generated more than \$2 million annually) until repealed in 2015 by the 84th Legislature.

Oil prices maintained a range of approximately \$2.50 to \$3.00 per barrel from the late 1940s through the end of the 1960s (in this section, references to the prices for crude oil and natural gas are *market prices*.)

In fiscal 1972 Texas collected \$193 million in Oil Production and Oil Regulation taxes; the average price in *calendar* 1972 was \$3.39 per barrel. The price level was shocked in 1973 by the Arab Oil Embargo. Prices responded to that, and later events, by more than tripling by the end of that decade; prices continued to climb into the \$30 range by the early 1980s before a price collapse in 1986 (and attendant collapse in domestic production) resulted in a long period of declining prices, ultimately hitting a plateau of approximately \$15 per barrel which persisted through the 1990s. By 1999, Oil Production and Regulation tax revenue had slid to just \$210.8 million.

By fiscal 2000 and 2001, annual tax revenue collections were double that of 1999, reaching \$416.6 and \$442.6 million as oil prices doubled from the 1999 average to \$26.70 and \$29.76 respectively. Texas production of oil, however, had never returned to the 1.2 billion barrel annual peak seen in the early 1970s. Annual production in 2000 and 2001 hovered around 400 million barrels. The economy faltered

in the wake of the September 11, 2001 terrorist attacks and prices dropped to \$19.40 by December 2001. Although prices recovered to \$26.95 by May 2002, reflecting the geopolitical conflicts in the Middle East and restrained production by OPEC and other major producers, 2002 tax revenues declined to \$338.7 million.

Tax revenues climbed to \$423.6 million in 2003 as oil prices temporarily reached \$35.73 per barrel in February 2003 in anticipation of potential supply disruptions caused by the Iraq war; the average price in 2003 was \$30.11. In 2004, supply disruptions from major producing countries and hurricane damage to oil and natural gas infrastructure in the Gulf of Mexico, along with heightened uncertainty regarding OPEC's spare capacity to meet growing world oil demand, pushed prices to \$40.28 by May 2004, and raising the year's average to \$34.55.

Over the next four years oil prices continued to set new records in response to diminishing worldwide spare production capacity, growing demand led by emerging markets, on-going geopolitical threats and supply disruptions, and the declining value of the U.S. dollar in which most of the world's oil sales are denominated. In June 2008, those factors caused the taxable oil price to explode to \$134.02. For 2008, with the price averaging \$101.93, Oil Production and Regulation taxes reached an all-time high of more than \$1.4 billion, surpassing the previous record set in 1982. With the onset of the recession, the oil price and tax revenues declined. The average price fell to \$39.26 in February 2009 as the credit crisis deepened, demand slowed, and excess supply grew. Prices eventually recovered and averaged \$64.09 for the year. Likewise, Oil Production and Regulation tax collections fell to \$884.5 million for 2009, a 38.4 percent drop. Prices strengthened further and averaged \$76.32 in 2010 and \$91.25 in 2011. At the same time of these price increases and Texas' exit and recovery from the Great Recession, a signal event was occurring in the Texas petroleum industry: wide-scale production from shale oil deposits. By the end of calendar 2014, overall Texas production of crude oil had *tripled* in roughly four years. Prices were holding in the \$90-\$100 range during this time. Oil Production tax revenue surpassed \$3.8 billion in 2014. Abruptly, a world oil glut sent prices tumbling finally

steadying in the \$45-\$50 range in mid-2016. Texas production declined sharply as new wells almost ceased to be drilled and existing well production declined over time, as is normal. As such, by 2016, Oil Production tax revenue had fallen to \$1.7 billion; the average yearly price was \$49.48.

The Natural Gas Production tax is set at 7.5 percent of market value, a rate unchanged since 1969. In fiscal 1972, tax collections were \$114.4 million. Natural Gas Production tax revenues have generally followed the trend set by Oil Production tax revenues, peaking at \$1.1 billion by 1985 before entering a long period of stable production and low natural gas prices until 2001.

Natural gas prices began a rapid rise in the middle of 2000 during record breaking winter cold, and those higher prices helped kick-start production development in the Barnett Shale and other places in Texas. The higher production and prices generated record tax collections in 2001 of \$1.6 billion, an astounding 128.9 percent more than the previous year, with an average price of \$5.41 per thousand cubic feet. In 2002, recessionary pressures pushed the average price down to \$2.84, and tax revenue fell to \$628.5 million.

With the improved economy in 2003, both prices (averaging \$4.80) and revenues (just shy of \$1.1 billion) rebounded. As economic growth continued, increasing natural gas demand pushed prices higher in 2004, to an average \$5.55. Those conditions led to the rapid growth in production and increased 2004 revenues by 30.2 percent to \$1.4 billion. Revenues continued increasing in 2005, reaching \$1.7 billion as prices averaged \$6.57.

In August of 2005, Hurricane Katrina devastated the oil and natural gas industry's pipelines, platforms, and other related facilities, leading to significant production losses. With diminished Gulf natural gas production, continuing strong demand, and speculative investments by hedge funds, prices moved from over \$7 in June 2005 to over \$13 in December of that year. The 2006 average price climbed to \$9.28 with tax collections at \$2.3 billion. In 2007, continued growth of natural gas production led by the Barnett Shale formation, a warmer than average winter, an unrealized hurricane forecast, and a record setting storage inventory caused the average price to decline to \$7.06, and revenue fell to \$1.9 billion.

In 2008, technological innovations in the extraction of shale-gas made natural gas more plentiful and competitive. Texas natural gas production grew rapidly and surpassed 7 trillion cubic feet for the year, the highest since the 1970s and prices continued to rise. The average price of natural gas spiked to almost \$13 in June 2008, and the 2008 annual average increased to \$8.47. Tax collections, rising over 41.6 percent from 2007, set a record high of \$2.68 billion.

The national recession caused the demand for natural gas to begin weakening in early 2008, while production continued to rise, resulting in prices plummeting to below \$4 by April of 2009. The annual average price in 2009 fell to \$5.91. Tax collections dropped by 47.6 percent, to \$1.4 billion, due to lower price levels but also because of record natural gas tax refunds of over \$500 million associated with high-cost gas wells. For 2010, prices dropped to \$4.44; tax collections dropped to \$725.5 million, after almost \$480 million in refunds.

By 2016, with Texas production declining for several years (and big shale fields continuing to develop in the eastern United States) and the price averaging \$2.91, tax collections were \$578.8 million for the year.

Similar in some respects to the constitutional amendment discussed earlier in the Limited Sales and Use Tax section, Texas voters had earlier approved another change to the Texas Constitution also intended to provide additional funding for road construction and maintenance. Under SJR 1, approved by voters in November 2014, the flow of dollars associated with crude oil and natural gas revenue in excess of certain threshold amounts and previously dedicated solely to the state's Economic Stabilization ("Rainy Day") Fund would be permanently bifurcated: up to 50 percent of those funds would now go each year to the State Highway Fund; the remainder would continue to flow to the Economic Stabilization Fund.

## Motor Fuel Taxes

Motor Fuel taxes consist of the state's consumption taxes on gasoline, diesel fuel, as well as liquefied and compressed natural gas. In fiscal 1972, gasoline was taxed at 5 cents per gallon, and diesel fuel was taxed at 6.5 cents per gallon. Total Motor Fuel tax collections in 1972 were \$355.8 million, of which taxes on gasoline accounted for

90 percent. Between 1972 and 1983, the tax rates for these fuels were unchanged, and total revenue collections grew by an average annual growth of 3.0 percent per year. (See Table 3 and Appendix G.)

In contrast, from 1983 to 1992 the Legislature increased the tax rates on gasoline and diesel fuel once temporarily and three times permanently to the current rate of 20 cents per gallon. During this period, collections increased by an average 16.6 percent per year to \$2.0 billion. (See Appendix B.)

From 1992 to 2016, a period with no tax rate and no appreciable base changes, revenue collections increased an average of 2.5 percent per year. In 2016, collections topped \$3.51 billion, the highest annual amount ever collected. The share of Motor Fuel tax collections in 2016 from the Gasoline tax was 76 percent. From 1972 to 2016, the average annual growth rate in total category collections was 5.3 percent.

## Motor Vehicle Taxes

Motor Vehicle taxes consist of the Motor Vehicle Sales and Use tax, the Motor Vehicle Sales and Use tax for Seller-Financed Motor Vehicles, the Motor Vehicle Rental tax, and the Manufactured Housing Sales and Use tax. In fiscal 1972, collections from Motor Vehicle taxes totaled \$167.1 million.

Collections from 1972 through 1983 for all Motor Vehicle taxes grew strongly by an average of 12.1 percent each year. (See Table 3 and Appendix G.) From 1983 to 1992, collections slowed to an average pace of 8.5 percent annually; revenue was dampened by two recessions, boosted by multiple tax rate increases, and broke above \$1 billion in annual collections for the first time in 1989. From 1992 through 2001 average annual growth improved to 10.1 percent; annual collections first exceeded \$2 billion annually in 1997. An economic slowdown caused collections to decline in the 2001-03 period by an average of 3.7 percent each year. Collections for this category of taxes improved at a single-digit pace through 2007, were flat in 2008, then plummeted by 22.2 percent in 2009 as the Great Recession reached Texas. Fiscal 2010 was the beginning of the return to normal with a slight 1.1 percent increase, followed by strong increases in 2011-2015. Collections from Motor Vehicle taxes were \$4.6 billion in 2016, for an average annual growth rate of 7.8 percent from 1972.

In 1972, the Motor Vehicle Sales and Use tax rate was 4 percent. From 1983 to 1992, the Legislature increased the sales and use tax rate three times, reaching the current 6.25 percent rate in 1991 (See Appendix B.)

In 2001, the Legislature imposed a 2.5 percent surcharge on every retail sale, lease or use of a 1996 model or earlier diesel motor vehicle weighing more than 14,000 pounds. In 2003, model 1997 newer diesel motor vehicles were assessed the surcharge at a one percent rate, and in 2005 certain diesel-powered vehicles used for recreational purposes were exempted from the surcharge. Revenues from the surcharge, which is set to expire in 2019, are dedicated to the Texas Emissions Reduction Plan Account.

The Motor Vehicle Rental tax has a two-tier rate structure: 10 percent for rentals of 30 days or less, and 6.25 percent for rentals of 31 to 180 days. Rentals longer than 180 days are classified as leases, with the vehicle taxed under the Motor Vehicle Sales and Use tax.

The Manufactured Housing Sales tax is levied on the initial sale of every new manufactured home sold in the state at the rate of 5 percent of 65 percent of the manufacturer's selling price.

All the taxes in this Motor Vehicle tax group, except the Manufactured Housing Sales tax, were affected by the amendment to the Texas Constitution approved by voters in November 2015 (see discussion in the section on Sales and Use Taxes). With respect to Motor Vehicle Sales and Rental taxes, 35 cents of each net dollar collected each year—after reaching \$5 billion—is to be sent to the State Highway Fund; the remaining 65 percent stays deposited in the General Revenue Fund. These new provisions would expire at the end of fiscal 2029, unless extended by vote of the Legislature.

### **Cigarette, Cigars and Tobacco Products Taxes**

This category of taxes on tobacco-based products includes the Cigarette tax; and the tax on Cigars and other Tobacco Products. In fiscal 1972, the Cigarette tax rate was 18.5 cents per pack of 20 cigarettes. Between 1984 and 1990, the tax rate increased four times, and the rate was stable at 41 cents until January 2007, when the rate increased to the current \$1.41. (See Appendix B.) Almost all of the

growth in Cigarette tax revenues since the mid-1980s is from legislative rate increases, as decreasing consumption has gradually eroded the underlying base due to health-related concerns, price increases, and changing social attitudes.

Between 1972 and 2011, the tax on cigars was unchanged other than a rate reduction for certain large cigars in 1975 that was expanded in 1977. The tax on tobacco products other than cigars and cigarettes (chewing tobacco, pipe tobacco and roll-your-own tobacco) was applied to snuff in 1984, and the rate was increased three times from 1987 to 2006, reaching 40 percent of the manufacturer's list price. Effective September 2009, the Legislature changed the tax on those tobacco products from a tax based on their value to a tax based on their product weight, with an initial rate of \$1.10 per ounce. The rate increased by three cents per ounce annually, through fiscal 2013, to the current rate of \$1.22 per ounce.

In 1972, total tax collections from the Cigarette, Cigars and Tobacco Products tax category were \$232.3 million, with 96 percent of the revenue from the Cigarette tax. From 1972 to 1983, a period with no significant tax rate changes to these products, revenue collections increased by an average of 3.9 percent per year. Between 1983 and 1992, collections rose by an average of 5.7 percent per year, reflecting the gains of tax rate changes, but over the following 11 years collection levels on average were flat. Following the Cigarette tax increase in 2007, those revenues grew substantially through 2008. (See Table 3.) Since that time, Cigarette tax revenues have been generally flat. Cigar and Tobacco products tax (including snuff) collections exhibited strong gains since 2010. In 2016, total group tax collections had risen to \$1.4 billion — 84 percent from the Cigarette tax. From 1972 through 2016, category collections have grown at an average annual rate of 4.1 percent.

### **Alcoholic Beverage Taxes**

Texas levies six taxes on alcoholic beverages: the Liquor, Beer, Wine, and Malt Liquor (also known as ale) excise taxes; and the Mixed Beverage Gross Receipts tax and the Mixed Beverage Sales tax on all alcoholic beverages sold to consumers by restaurants and bars that are permitted to serve liquor. Together, these comprise the

Alcoholic Beverage category of taxes (one other tax, the Airline/Passenger Train Beverage tax on alcoholic beverages sold by those common carriers to their customers, was repealed by the 84th Legislature in 2015). In fiscal 1972, Alcoholic Beverage tax collections totaled \$78.6 million, with the Mixed Beverage tax accounting for about one-sixth of total revenue. Changes in social attitudes, consumer choice, health concerns, a higher drinking age, and increases in federal excise taxes have likely contributed to per capita consumption of alcoholic beverages remaining largely unchanged over the last decade. Per capita beer consumption has been trending downward; wine and liquor have been increasing.

Total Alcoholic Beverage tax collections increased by an average annual growth rate of 6.4 percent over the 1972-2016 period. The Mixed Beverage Gross Receipts tax became effective on July 1, 1971 (see Appendix B and D-2), and the expansion of businesses permitted to serve “liquor by the drink” pushed total alcohol tax revenue growth by an average 11.9 percent annually between 1972 and 1983.

Between 1983 and 1992 revenue growth slowed to 4.0 percent annually, although the Legislature raised the Mixed Beverage Gross Receipts tax rate from 12 to 14 percent in 1990. Tax collections grew slowly during the recession of the early 2000s; from 2003 to 2008 the annual growth rate improved to 6.7 percent, but the national and state “Great Recession” constrained average growth to only 1.6 percent in 2009 and 2010. Alcoholic Beverage tax revenues rebounded and in 2016, Alcoholic Beverage tax collections totaled almost \$1.2 billion.

The 83rd Legislature (HB 3572, effective Jan. 1, 2014) lowered the rate of the Mixed Beverage Gross Receipts tax (imposed on the mixed beverage permit holder) from 14 to 6.7 percent and imposed a Mixed Beverage Sales tax at a rate of 8.25 percent. (See Table 3 and Appendix G.) The revenue from these two taxes on mixed beverages accounted for 81 percent of total Alcoholic Beverage category revenue in 2016.

## Insurance Taxes

Insurance taxes include Insurance Premium taxes and more than a dozen Insurance Maintenance taxes collected on behalf of the Texas Department of Insurance. Insurance Premium taxes, which account for the majority of Insurance tax collections, generally apply to taxes paid on insurance that covers risk located in this state.

Premium taxes are levied on an insurance company’s written premiums and varies by type of insurance. The tax rates for licensed insurers are applied to gross premiums and are 1.75 percent for life, accident and health insurance; 1.6 percent for property and casualty insurance; 1.35 percent for title insurance; 0.5 percent for licensed captive insurers, and 4.85 percent for unauthorized, surplus lines and independently procured insurance. Surplus lines premium tax is collected from the insured by a licensed surplus lines agent; unauthorized taxes are the responsibility of the insurer, the insured or the agent, and independently procured taxes are the responsibility of the insured or its designated agent. (See Appendix F.)

Insurance Maintenance taxes are levied on specific lines of insurance for the purpose of recouping the regulatory costs incurred by the Texas Department of Insurance, which sets the tax rates annually (subject to statutory caps) for each line of insurance.

From 1972 to 1995, Insurance Premium taxes underwent extensive legislative modifications involving rate structure, tax base and available tax credits. These legislative changes, coupled with premium volume growth, boosted total Insurance tax revenues to over \$2.2 billion in 2016 from \$66.5 million in 1972, yielding an 8.3 percent average annual growth rate.

From 1992 to 2001, vigorous rate competition yielded a 5.3 percent average annual growth rate, but as many insurers imposed stricter underwriting criteria and initiated a series of premium hikes the annual growth jumped to 19.4 percent between 2001 and 2003 (See Appendix G and Table 3.) From 2003 to 2008, annual revenue growth slowed to 4.4 percent, reflecting increased competition and an end to the previous years’ rate adjustments.

In 2009, revenue was down by 13.3 percent as a result of a recession-related decrease in premiums written and an



increase in tax credits allowed for certified capital company (CAPCO) program investments and Texas Windstorm Insurance Association (TWIA)-related assessments. Following the Great Recession, collections rose; first modestly then at a double-digit pace during 2012-2014. The average annual growth rate of the Insurance category of taxes during 2010-2016 was 9.0 percent.

### Hotel Occupancy Tax

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The Hotel Occupancy tax is imposed on a person who pays for a room or space in a hotel that costs \$15 or more per day levied on room receipts. In 1972, with a state rate of 3 percent, tax collections totaled \$8.5 million. Legislation in 1984 and 1987 brought the rate to the current 6 percent (in addition to the state rate of 6%, local-option hotel taxes, at various rates, are levied in many locations.) Collections reached \$521.2 million in 2016, a 9.8 percent average annual increase from 1972 (See appendix G and Table 3.) Non-legislative factors affecting the growth of revenue collections include population change, business travel, and inflation.

### Utility Taxes

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Utility taxes are a group of three related revenue sources. The largest, with 81 percent of total 2016 category revenue, is the Gas, Electric, and Water Utility tax, levied at a rate varying from 0.581 percent to 1.997 percent of gross utility receipts, depending upon a city's population. Next, with 13 percent of 2016 revenue, is the Public Utility Gross Receipts assessment, created by the Legislature in 1975 and levied at one-sixth of 1 percent of gross receipts. The third is the Gas Utility Pipeline tax, levied at 0.5 percent of gross income.

Utility tax revenues totaled \$24 million in 1972 and reached \$435.0 million in 2016, a 6.8 percent average annual growth rate. The most rapid growth in this revenue group occurred between 1972 and 1983, when the average annual growth rate was 22.5 percent. Since 1983, collections have been more variable, with growth averaging only 2.0 percent per year. (See Appendix G and Table 3.)

### Other Taxes

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Other taxes levied in Texas include the Oil Well Service tax, the Coin-Operated Machine tax, the Cement Production tax, and the Combative Sports Gross Receipts tax. Revenue from this group totaled \$182.6 million in 2016, compared to the \$111.8 million collected in 1972, an average annual increase of 1.1 percent. The slow long-term *increase* occurred despite the repeal of a number of taxes formerly classified in this group, most notably the state Ad Valorem (property) tax. Other taxes that no longer exist include the Telephone Company tax, the Bingo Gross Receipts tax, the Bedding Stamp tax and several small occupation taxes relating to such diverse enterprises as Pistol Dealers, Car Companies, Stockbrokers, and Express Companies. Further, the 84th Legislature (2015) repealed several taxes which had been in this group of taxes, namely: the Controlled Substances tax, the Attorney Occupation tax, the Sulphur Production tax, and the Bingo Rental tax.

### Texas Fees

This section reviews the major state fees collected in Texas. These fees are paid by businesses and individuals for a variety of purposes. Many are collected to cover the costs of registrations, licenses, permits and other certificates. Others include tuition fees and court costs. Fees are presented here and in Table 4 for seven broad categories: Transportation, Business Regulation, Natural Resources, Parks and Wildlife, Education, Health, and Other. In fiscal 2016, \$6.1 billion in fees were collected compared to \$300.8 million in 1972, an average annual growth rate of 7.1 percent.

The 2014 and 2015 editions of *Sources of Revenue* used a \$50 million annual collection threshold to determine which fees would be highlighted in this discussion and Table 4. This updated edition of *Sources of Revenue* follows this practice and, allowing for programmatic and statutory changes, the individual fees discussed are the same as those covered in the last two editions. As before, exceptions to this threshold occur; for example, when a category has one or fewer fees with \$50 million annual collections. In addition, fees deposited to trust funds are not included in the figures in Table 4.



## Transportation Fees

Transportation fees apply to activities related to owning and operating a motor vehicle in Texas — registrations, inspections, titles, driver licenses, and other miscellaneous fees.

Since the 1920s when Texas enacted motor vehicle registrations, transportation fees have generated more fee revenue than any other fee category. In fiscal 1972, transportation fees totaled \$194.2 million and accounted for 64.6 percent of total state fee collections. In 2016, revenues from these fees had risen to \$2.5 billion, and while still the largest source of fee revenue, its share had fallen to 41.5 percent. Transportation fees grew by an average annual rate of 6.0 percent over those 44 years, the slowest growth rate of any state fee category.

Fees for motor vehicle registration are constitutionally dedicated for acquiring rights-of-way and for constructing, maintaining, and policing public roadways. Motor vehicle registrations fees include registrations for all cars, trucks, motorcycles and other vehicles as well as fees for specialty license plates. In 1984, the Legislature increased the rate for the universal registration sticker, which applies to passenger vehicles and light trucks, by \$25 per vehicle, phased in over a three-year period beginning in 1985. The fee changed from one based on gross weight to one based on the age of the vehicle, resulting in a variable rate for the universal registration sticker ranging from \$40.50 to \$58.50. Effective September 2011, the rate was changed back to a weight basis in which vehicles of 6,000 pounds or less pay a fee of \$50.75 and vehicles over 6,000 pounds pay variable fee from \$54 to \$840. In 2001, a 10 percent registration surcharge was added for certain diesel trucks to fund the Texas Emissions Reduction Plan. The surcharge is set to expire in 2019. Registration fee collections totaled \$165.4 million in 1972 and reached \$1.5 billion by 2016, an average annual growth rate of 5.2 percent.

The motor vehicle driver license requirement was enacted in 1935. In 1972, license fee collections were \$21 million and grew to \$137.4 million in 2016, for an average annual growth rate in driver license fee revenue of 4.4 percent. Since 1972, the Legislature increased the license fee schedule several times. The last rate increase in 1997

allowed the Texas Department of Public Safety to phase in rates for a six-year original license at \$24 for an operator's license, \$32 when an operator's license includes a motor-cycle license, and \$60 for a commercial license. Various other fees are assessed on the issuance of an occupational license, duplicate license, suspension reinstatement, personal identification cards and other special licenses. Driver license revenue was dedicated to General Revenue until September 1, 2005, when it was rededicated to the Texas Mobility Fund.

The 78th Legislature (2003) enacted the Driver Responsibility Program to assess, as part of the process of adjudication and usually in addition to other court-mandated costs and fines, surcharges on individuals convicted of violating certain highway traffic laws such as speeding, driving while intoxicated, and driving without a license or insurance. Driver's license point surcharges range from \$100 to \$2,000, are levied for three consecutive years, and are dedicated to trauma and emergency medical services, and General Revenue. In its first year of collections (2005), the program collected \$36.8 million, growing to \$147.8 million in 2016 for an average annual growth rate of 13.5 percent. The decrease in collections of \$25.5 million from fiscal 2012 to 2016 may be, in part, due to various incentive and indigency programs which have lowered fine amounts levied by courts.

The motor vehicle inspection fee was implemented in 1953, and since 1972 the Legislature has increased the fee schedule multiple times. A 2013 change in law did away with the separate inspection sticker; the state fee owed is now paid at the time of vehicle registration. The current rates are \$12.50 for an annual safety inspection, \$21.75 for a two-year safety inspection for new vehicles, and \$50 for a commercial inspection. Although emissions testing for certain counties existed previously, in 1996 the Legislature established it as part of the inspection process. Since that time, 17 counties, mostly in major metropolitan areas have emissions testing, charging an annual fee that varies depending of the type of test required. A \$10 inspection fee surcharge to commercial motor vehicle inspections was added by the Legislature in 2001 to fund the Texas Emissions Reduction Plan. Like the similar surcharge on registrations, this surcharge is set to expire in 2019. Inspection fee collections increased

from almost \$3.6 million in 1972 to \$162.3 million in 2016, an average annual growth rate of 9.1 percent.

Fees on motor vehicle certificate of title were implemented in 1939 and the Legislature has increased the fee rate schedule several times since 1972. In 2003 the fee was set to \$33 for an original title issued to a resident of a federally designated non-attainment county and \$28 for residents in all other counties. State receipts from this fee were almost \$1.5 million in 1972 and increased to \$224.3 million in 2016. Collections of these fees have increased an average of 12.1 percent per year. Deposit funds for these fees include the State Highway Fund, General Revenue, the Texas Mobility Fund, the Department of Motor Vehicles Fund, and sometimes a portion to the issuing county, depending on the type of title certificate.

### **Business Regulation Fees**

Fees in this category are associated with a variety of lines of business and activities with most of the revenue coming from fees associated with the securities industry, a wide range of professional occupations, and on general business filings. In fiscal 1972, business regulation fees brought in \$6.7 million and accounted for 2.2 percent of total state fee receipts. In 2016, these fees accounted for 6.6 percent of total state fee receipts and generated \$402.3 million, an average annual growth rate of 9.8 percent.

In 1972, business-related professional fees (3175) were \$1.7 million. In 2016, collections increased to \$94.3 million, an average annual growth rate of 9.6 percent. A reclassification of securities fees from this sub-category to its own took place beginning in 2013 (see later discussion of this reclassification.)

In 1991, House Bill 11 of the 72nd Legislature created a \$200 fee increase on selected professions (the base fees on selected professions remain in force; see Appendix E.) This additional fee, like the small taxes previously discussed, was repealed by the 84th Legislature in 2015; the \$200 increase on non-health professions generated \$91.4 million that year.

Professional fee receipts are deposited to either undedicated General Revenue; or in a General Revenue-Dedicated Account, the revenue dedicated for a particular purpose (e.g., permitting and/or regulating a profession).

Securities fees are collected for the registration, application to sell, filing a notice of limited exemption, and other activities related to securities. Many of these fees were formerly collected as professional fees (3175). However, they were reclassified under a separate category (object code 3186) in fiscal 2013 to better reflect the nature of these fees. Securities fees make up the largest share of business regulation fees and totaled \$129.5 million in fiscal 2016.

General business filing fees are imposed on corporations, partnerships, professional associations, and other business associations. Some of the more common examples are fees for filing articles of incorporation, articles of merger, certificates of authority to transact business, change of registered agent, registration and certification of corporate name, original financing statement, and certificate of limited partnership. With a few exceptions, general business filing fee receipts are deposited as undedicated General Revenue. In 1972, these fees produced \$4.3 million, the majority of all business regulation fee collections that year. In 2016, although fee collections had risen to \$88.0 million, an average annual growth rate of 7.1 percent, they were only 21.9 percent of all business regulation fee revenue.

### **Natural Resource Fees**

Natural resource fees are assessed for the use or protection of state natural resources. These fees include air pollution control fees, waste treatment inspection fees, and a host of other fees, fines, and penalties related to Texas natural resources. In fiscal 1972, collections from natural resource fees totaled less than \$1 million. In 2016, these fees generated \$204.9 million and accounted for 3.4 percent of total state fee collections, an average annual growth rate of 14.6 percent.

Air pollution control fees, which range from \$25 to \$75,000 and were first collected in 1983, are assessed to ensure that all industrial construction meets air pollution standards established by federal and state laws and regulations. In 2016, the fees generated \$60.0 million compared to \$190,000 collected in 1983, a 19.1 percent average annual growth rate.

Waste treatment inspection fees are levied on the planning, management, collection, storage, or discharge of waste or wastewater; and for the costs of sampling and testing

CHART 3  
Fiscal 1972 State Fee Revenue by Category  
\$301 Million  
All Funds Excluding Trust

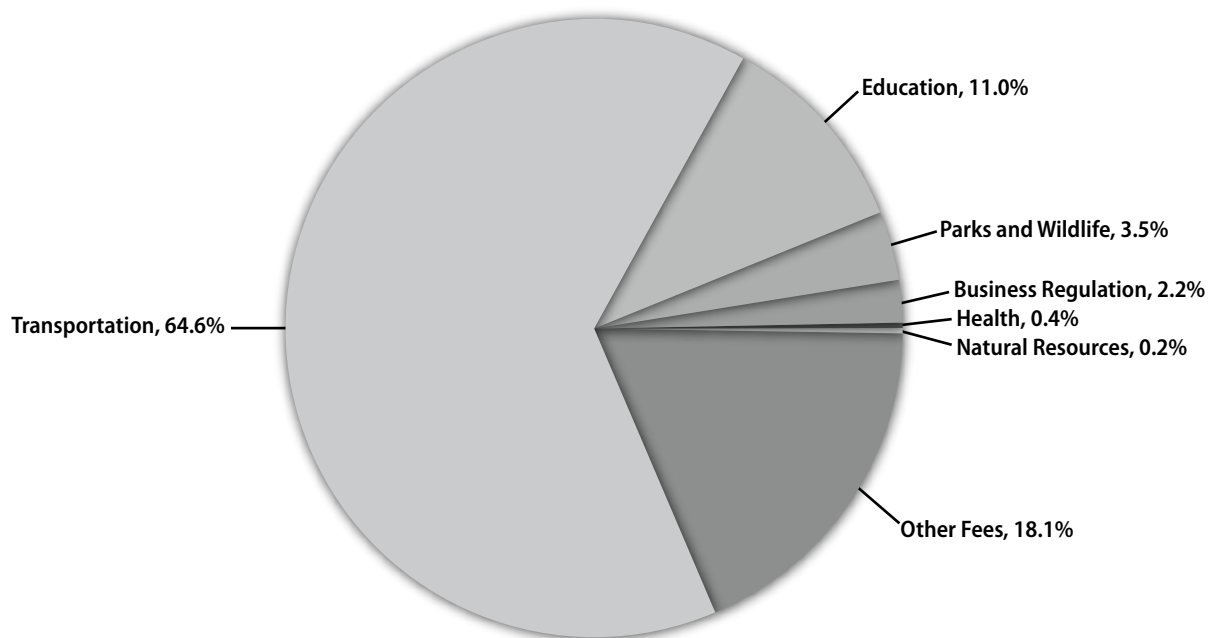
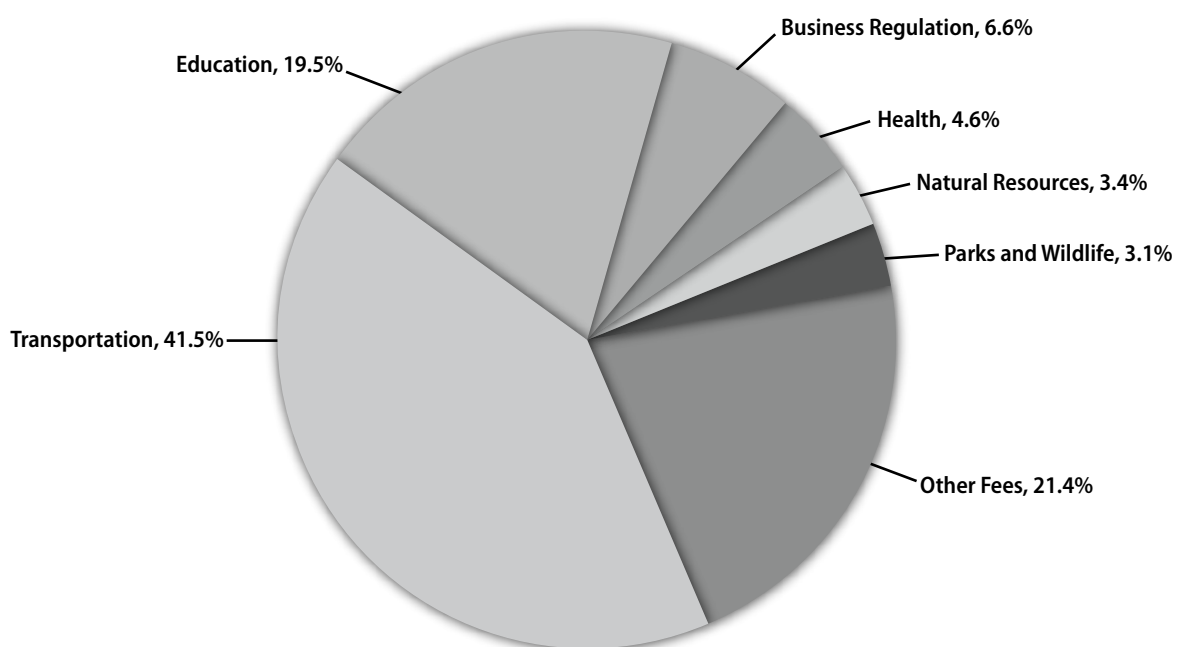


CHART 4  
Fiscal 2016 State Fee Revenue by Category  
\$6.096 Billion  
All Funds Excluding Trust



Source: Texas Comptroller of Public Accounts

**TABLE 4**  
**State Fees By Receipt Category**  
**A Historical Perspective Every Ten Years With Base Year and Last Completed Year**  
**All Funds Excluding Trust**

Category / Fee	Base year Fiscal 1972	Fiscal 1982	Fiscal 1992	Fiscal 2002	Fiscal 2012	Last Completed Fiscal 2016	Average Annual Growth Rate
<b>01 TRANSPORTATION</b>							
01 20 3014 Motor Vehicle Registration Fees	\$165,392,110	\$284,134,362	\$581,709,651	\$742,047,130	\$1,328,771,372	\$1,529,274,984	5.2%
01 20 3012 Motor Vehicle Certificates	1,476,369	7,181,149	28,930,129	45,613,533	166,592,326	224,289,942	12.1%
01 20 3020 Motor Vehicle Inspection Fees	3,579,169	18,913,640	64,120,839	109,414,719	185,934,957	162,285,268	9.1%
01 20 3018 Special Vehicle Permits	2,159,375	3,984,286	17,234,335	32,692,472	145,643,642	159,091,310	10.3%
01 20 3024 Driver's License Point Surcharges	-	-	-	-	173,368,549	147,830,496	13.5%
01 20 3025 Driver's License Fees	21,016,418	26,732,779	71,259,160	114,972,864	130,262,905	137,370,840	4.4%
01 30 3027 Driver Record Information Fees	-	3,606,481	51,645,601	49,920,055	58,382,811	70,254,200	9.4%
Other Transportation	577,756	6,305,564	83,579,701	120,496,215	100,693,511	99,439,279	12.4%
<b>Total Transportation</b>	<b>194,201,197</b>	<b>350,858,261</b>	<b>898,479,414</b>	<b>1,215,156,988</b>	<b>2,289,650,073</b>	<b>2,529,836,319</b>	<b>6.0%</b>
<b>03 BUSINESS REGULATION</b>							
03 10 3186 Securities Fees	-	-	-	-	-	129,465,419	4.5%
03 10 3175 Professional Fees	1,683,763	21,498,120	114,704,395	109,185,086	178,191,812	94,274,842	9.6%
03 30 3133 General Business Filing Fees	4,265,926	15,001,382	26,746,119	49,924,356	70,316,746	87,994,068	7.1%
Other Business Regulation	720,538	3,268,608	39,843,438	188,971,515	177,445,311	90,548,549	11.6%
<b>Total Business Regulation</b>	<b>6,670,227</b>	<b>39,768,111</b>	<b>181,293,952</b>	<b>348,080,957</b>	<b>425,953,870</b>	<b>402,282,878</b>	<b>9.8%</b>
<b>08 NATURAL RESOURCES</b>							
08 30 3375 Air Pollution Control Fees	-	-	18,809,836	47,346,308	60,051,259	60,046,265	19.1%
08 30 3371 Waste Treatment Inspection Fee	-	-	5,371,923	13,815,422	25,864,338	33,855,000	9.1%
Other Natural Resources	505,983	2,166,150	38,408,321	47,204,061	102,655,965	110,960,547	13.0%
<b>Total Natural Resources</b>	<b>505,983</b>	<b>2,166,150</b>	<b>62,590,080</b>	<b>108,365,792</b>	<b>188,571,562</b>	<b>204,861,812</b>	<b>14.6%</b>
<b>10 PARKS AND WILDLIFE</b>							
10 20 3434 Game/Fish/Equipment Fees – Non Commercial	5,845,766	15,350,547	40,259,831	59,254,358	93,993,928	102,269,225	6.7%
10 20 3461 State Parks Fees	1,787,447	6,673,927	13,187,370	27,791,054	41,654,938	52,977,684	8.0%
Other Parks And Wildlife	2,909,886	6,274,319	15,584,370	23,902,394	31,230,404	31,005,412	5.5%
<b>Total Parks And Wildlife</b>	<b>10,543,099</b>	<b>28,298,793</b>	<b>69,031,572</b>	<b>110,947,805</b>	<b>166,879,269</b>	<b>186,252,321</b>	<b>6.7%</b>
<b>11 EDUCATION</b>							
11 20 3505 Higher Education Tuition/Fees – Non-Pledge	29,983,547	55,657,701	260,614,713	561,303,978	928,720,244	1,128,525,398	8.6%
11 10 3511 Teacher Certification Fees	-	377,602	2,217,506	14,222,527	24,090,969	29,674,634	17.2%
Other Education	3,186,319	5,987,009	13,964,158	21,688,672	73,665,421	28,836,534	5.1%
<b>Total Education</b>	<b>33,169,866</b>	<b>62,022,313</b>	<b>276,796,377</b>	<b>597,215,177</b>	<b>1,026,476,634</b>	<b>1,187,036,565</b>	<b>8.5%</b>
<b>12 HEALTH</b>							
12 10 3557 Health Care Facilities Fees	48,697	1,825,035	2,644,151	25,227,039	71,149,674	84,085,100	18.5%
12 10 3592 Waste Disposl Fac, Generator, Transporters	-	-	39,931,586	56,962,638	54,713,142	52,634,353	9.0%
12 10 3560 Medical Exam & Registration	397,959	2,915,491	18,319,853	18,718,864	39,272,779	41,590,001	11.1%
12 10 3562 Health Related Profession Fees	383,712	1,297,022	7,531,665	13,813,657	28,039,594	34,593,811	10.8%
Other Health	486,305	1,384,169	46,742,703	59,548,791	103,724,319	69,898,092	12.0%
<b>Total Health</b>	<b>1,316,673</b>	<b>7,421,717</b>	<b>115,169,957</b>	<b>174,270,988</b>	<b>296,899,508</b>	<b>282,801,356</b>	<b>13.0%</b>
<b>OTHER</b>							
14 25 3704 Court Costs	-	-	14,843,930	61,417,494	281,288,839	246,438,935	12.4%
14 30 3727 Fees - Administrative Services	30,963	17,566	583,549	8,694,507	56,861,392	120,635,754	20.7%
02 30 3106 City Sales Tax Service Fees	-	17,426,053	26,155,707	54,501,704	88,245,943	107,591,238	7.4%
14 25 3710 Court Fines	-	-	700	288,511	88,816,204	80,808,601	39.6%
14 30 3879 Credit Card & Elect Svcs Related Fees	-	-	-	6,694,843	68,988,426	79,296,195	19.3%
Other	54,345,288	236,518,411	713,319,231	648,437,406	711,526,120	668,036,494	5.9%
<b>Total Other</b>	<b>54,376,251</b>	<b>253,962,029</b>	<b>754,903,118</b>	<b>780,034,465</b>	<b>1,295,726,924</b>	<b>1,302,807,218</b>	<b>7.5%</b>
<b>GRAND TOTAL</b>	<b>\$300,783,296</b>	<b>\$744,497,373</b>	<b>\$2,358,264,471</b>	<b>\$3,334,072,172</b>	<b>\$5,690,157,841</b>	<b>\$6,095,878,468</b>	<b>7.1%</b>

\* Excludes Fund Groups 08, 09, 12 and 13 classified as Trust

\*\* Prior to 2013, object code 3186 revenue was deposited under 3175

Source: Texas Comptroller

water resources. Fee receipts are deposited into the General Revenue-dedicated Water Resource Management Account or the General Revenue Fund to administer water quality management programs. First collections occurred in 1984, producing \$2.1 million in revenue; at that time, the fee level could not exceed \$2,000. In fiscal 2010, the maximum fee level was raised to \$100,000, a cap that is adjusted annually based on changes in the Consumer Price Index up to \$150,000. In 2016, revenues totaled \$33.9 million with an average annual growth rate of 9.1 percent.

### **Parks and Wildlife Fees**

Parks and wildlife fees include game, fish, and equipment fees, state parks fees and other fees related to hunting, fishing and boating. In fiscal 1972, these fees generated \$10.5 million, or 3.5 percent of all state fee collections. In 2016, they produced \$186.3 million, a 6.7 percent average annual growth rate, and were 3.1 percent of all state fee collections.

Game, fish, and equipment fees include a multiplicity of different licenses, stamps, or tags for hunting, fishing, or trapping in Texas. Most of the revenue is from sales of fishing and hunting licenses (about 55 percent in 2016.) In 1972, receipts from these fees totaled \$5.8 million. In 2016, they reached \$102.3 million, a 6.7 percent average annual growth rate. These fees are dedicated for the administration and enforcement of game, fish, and water safety laws and wildlife management. The Legislature increased the rates for these fees four times between 1973 and 1983. Since September 1985, the Texas Parks and Wildlife Commission has authority to set the fee rates by rule, and the Commission has done so several times.

State parks entrance fees for more than 90 of Texas' state parks are set at the Texas Parks and Wildlife Department. In 1972, receipts from these fees totaled \$1.8 million. In 2016, they generated \$53.0 million, for an average annual growth rate of 8.0 percent.

### **Education Fees**

Education fees consist primarily of higher education tuition. In fiscal 1972, total education fees generated \$33.2 million and accounted for 11 percent of all state fees. In 2016, education fee collections had climbed to \$1.2 billion,

or 19.5 percent of all state fee collections. Education fee collections increased by an average of 8.5 percent annually.

Higher education tuition revenues are dedicated for the operation and maintenance of Texas public colleges and universities. Tuition fees totaled \$30 million in 1972 and reached \$1.1 billion in 2016, an average annual growth rate of 8.6 percent.

Before 2003 the Legislature set tuition rates by law for all higher education institutions. The 78th Legislature passed HB 3015, effective September 1, 2003, which deregulated the tuition rates that could be set by governing boards of public universities above the base tuition rate set by the Legislature. Universities began increasing designated tuition in the spring of 2004. Since the 2005-06 school year, the base tuition rate for an undergraduate semester credit hour for state university courses for resident students has been set by the Legislature at \$50. Revenue from the base tuition is deposited to the institutions' current funds.

### **Health Fees**

Health fees are associated with the medical profession and environmental health. They include health-related professional fees, health care facilities fees, waste disposal fees, medical examination and registration fees, and other miscellaneous fees. In fiscal 1972, health fee collections were \$1.3 million, less than 1 percent of all state fee collections. In 2016, collections reached \$282.8 million, 4.6 percent of all state fee collections.

Between 1972 and 2016, collections increased by an average of 13 percent each year. Much of this growth is attributable to the environmental health fees enacted in the 1980s and 1990s and to new health care facilities fees.

Health care facilities fees are imposed for licensing a wide range of medical and other types of health care facilities. Previous to the passage of a quality assurance fee by the Legislature in 2001, total annual health care facilities fee revenue was less than \$7 million. Quality assurance fee revenue resulted in total facility fee collections of \$25.2 million in 2002. By 2016, health care facility fee collections reached \$84.1 million, an average annual growth rate of 18.5 percent, to become the top revenue source in the health fee category.

Health-related professional fees include registration fees for over 25 professions tied to medical and health services. In 1972, they produced less than \$1 million. In 2016, they generated \$34.6 million, an annual average growth rate of 10.8 percent (See Appendix E for a listing of the occupations assessed a state professional fee and the associated rate limitations.)

One factor contributing to the growth in health fee revenue had been the \$200 fee increase on selected health professions, enacted by the 72nd Legislature (1991) and repealed by the 84th Legislature (2015), previously discussed in the Business Regulation section with respect to the \$200 surcharge on non-health professional occupations.

Medical Examination and registration fees are collected for registering, licensing, and examining doctors, nurses and other medical professionals. In fiscal 1972, less than \$1 million in these fees were collected. By 2016 that amount had grown to \$41.6 million, an average annual growth rate of 11.1 percent.

The waste disposal facilities, generators, and transporters fees were enacted by the Legislature in 1985 and are assessed on the storage, transportation, or disposal of hazardous, solid, oil and gas, or industrial waste. Additional permit fees are charged for sewage, and landfill facilities. In 2016, fee collections were \$52.6 million, compared to 1986 collections of \$4 million, an average annual growth rate of 9 percent. These fees are statutorily-dedicated for the permitting, administering, and enforcement of various waste disposal programs, and facility cleanup and maintenance programs administered by the Texas Commission on Environmental Quality and Texas Railroad Commission.

### Other Fees

This group includes a variety of fees and other charges associated with property, insurance, utilities, tobacco, alcohol, welfare, agriculture, courts, and others. All of these

various fee categories totaled \$54.4 million in 1972 and increased to \$1.3 billion in 2016, an average annual growth rate of 7.5 percent.

In fiscal 2016, court costs (\$246.4 million) and court fines (\$80.8 million) account for one-quarter of the entire Other fees category. These are levied on those convicted for a variety of felony and misdemeanor offenses, including certain civil cases. Most of these fees are dedicated for a specific purpose related to criminal justice programs.

The first court fine was established in 1892 for contempt of court, allowing the levy of a fine of up to \$500, with the collections deposited to General Revenue.

The Non-Bypassable Utility fee, created by the 76th Legislature (1999), was levied on electric utilities at the rate not to exceed 50 cents per megawatt hour, with revenues to fund electricity rate reduction programs and other purposes. The 77th Legislature (2001) gave the Public Utility Commission authority to set the rate at up to 65 cents. With full implementation in 2001, collections were \$73.6 million and reached \$146.7 million in 2013. As Table 4 does not include trust fund deposits, the amounts for this fee are not shown in fiscal 2002 as they were deposited to the System Benefit Trust Fund; in subsequent years these fees were deposited to the System Benefit Account in General Revenue. In fiscal 2014, collections declined to \$17.1 million due to HB 7, 83rd Legislature, reducing the rate of the fee to zero (note: the assessment itself was not repealed) through fiscal 2016; subsequently, the 84th Legislature continued the fee at a zero rate through the 2016-17 biennium.

City Sales Tax service fees associated with the collection and allocation of local sales taxes (i.e., the local-option counterparts to the state's Limited Sales and Use tax) totaled \$5.8 million in fiscal 1975. In 2016, this had risen to \$107.6 million, an average annual increase of 7.4 percent. This is a 2 percent administrative fee collected on local sales taxes remitted to the state. ☼





# SOURCES OF REVENUE

A History of State Taxes and Fees in Texas 1972-2016

## Legislative Changes and Other Sources of Growth

### Pre-1972

Throughout most of the 1950s, Texas experienced a recurring pattern of budget crises followed by tax increases. In an attempt to break the cycle, the 57th Legislature, First Called Session, enacted a state *Sales and Use* tax in 1961. **HB 20** established a limited *Sales and Use* tax, with a rate pegged at 2 percent. Revenue growth during the ensuing years, however, proved insufficient to meet the state's expanding needs. Within the next nine years the Legislature returned to the *Sales and Use* tax four times, either to raise the rate or to broaden the base. The Legislature churned out tax bills in 1963, 1965 (*Cigarette and Inheritance* taxes only), 1967 (*Franchise* tax only), 1968, 1969, and 1971. As 1971 drew to a close, the *Sales and Use* tax rate stood at 4 percent — double its original rate. However, during the 60th Legislature **SJR 32**, a constitutional amendment to gradually reduce the state's *Ad Valorem* tax (property), was passed and voters adopted the amendment by general election in 1968.

### 1972 – 1982

Considering the budget turbulence that preceded it and the oil boom that followed, the 1972 budget year presents a paradigm of stability. From 1972 onward, escalating oil prices and vigorous economic growth (not to mention inflation) generated substantial increases in the state's tax receipts. At the boom's peak, a \$1 increase in oil prices would induce a \$40 million "windfall" in *Oil Production* tax revenues. The effect did not remain isolated to a single tax: natural gas prices rose with the price of oil and as drilling activity

increased following each price hike, economic activity multiplied throughout the economy, generating an additional \$60 million in *Sales and Use*, *Franchise*, *Natural Gas*, and other tax receipts.

The new revenues allowed the Legislature to increase agency budgets and fund new programs and services. During the 1972-82 period, the annual growth rates for state personal income and state tax collections each averaged 14 percent. Texas' economic prosperity drew new workers and their families from around the nation. This influx spawned demands for even more state spending, particularly for highways and schools.

The oil boom allowed the Legislature to enjoy a remarkable 11-year period — from 1972 until 1983 — without imposing a major tax hike. Although the 64th Legislature did adopt one new tax — the *Public Utility Gross Receipts* assessment — in 1975 by passing **HB 819** to support the newly-established Public Utility Commission's regulatory activities, **HB 546** abolished the *Express Company* tax, lowered the *Cigar* tax, eliminated the *Franchise* tax surtax, and struck debt from the *Franchise* tax base. Between 1973 and 1977, the state *Ad Valorem* (property) tax rate dropped by more than half, due to the adoption of SJR 32 by voters in 1968.

In 1978, Governor Dolph Briscoe reconvened the 65th Legislature for a Second Called Session to cut the state's budget surplus by reducing certain taxes and enacting taxation and spending limits. That special session produced **HB 1** and **HJR 1**, the first major tax reduction legislation in modern Texas history.

**HB 1** reduced the *Sales and Use* tax base and lowered the *Inheritance* tax. The bill exempted residential gas and electric services from the state *Sales and Use* tax base and extended the exemption to local tax bases (unless local authorities voted to retain those services in their tax base). The new exemption reduced state *Sales and Use* tax revenues by \$101 million in 1979. **HB 1** also reduced *Inheritance* tax collections by establishing a \$200,000 per estate exemption, scheduled to increase to \$250,000 in 1982 and to \$300,000 in 1985. This provision, which became effective at the beginning of fiscal 1979, reduced *Inheritance* tax revenues by \$13.2 million in 1979 and \$36.7 million during the 1980-81 biennium. (Three years later, during the 67th Legislative Session, the Legislature enacted **HB 325**, which piggy-backed the state *Inheritance* tax onto the federal inheritance tax, making it equal to the federal credit.)

**HJR 1**, approved by voters in November 1978, provided more state *Ad Valorem* tax relief. Among other measures, the amendment removed intangibles from the tax base and provided a \$5,000 homestead exemption and other exemptions for non-income-producing personal property and household goods. **HJR 1** also placed a cap on state spending growth, limiting it to the “estimated growth of the state’s economy,” as determined by the Legislature.

Four years later, during the Second Called Session of the 67th Legislature (1982), the Legislature took state property tax relief one step farther and sent the voters a new **HJR 1** — a proposed constitutional amendment to abolish the state *Ad Valorem* tax. Voters adopted the amendment in November 1982.

## 1983: The 68th Legislature, Regular Session

When the Legislature convened for its 68th Legislative Session in January 1983, it faced unfamiliar circumstances. After 22 years of uninterrupted growth, severance tax revenues were beginning to fall. Two years before, they accounted for 28.3 percent of state tax receipts; by 1983, their share had fallen to 26.5 percent. In 1982, *Oil Production* tax revenues peaked at \$1.3 billion; the following year they fell to \$1.2 billion — a 9.6 percent decline. Compounding the problem, in 1982 and 1983 Mexico depreciated the peso

several times, precipitating a drastic retail sales slump along Texas’ border. Unemployment increased and *Sales and Use* tax collections plummeted.

Despite the first serious decline in severance tax revenues since the 1960s, the Legislature increased spending by 16 percent through the enactment of various fee increases, authorization to spend available fund surpluses, and, most importantly, passing of six bills designed to shift or “speed-up” tax collections to earlier collection dates. The speed-up legislation generated one-time gains totaling \$21.7 million in 1983 and \$412.6 million for the 1984-85 biennium.

**SB 713** restructured the payment schedule for the *Motor Vehicle Sales and Use* tax. The bill required counties to forward their collections to the State Treasury on a daily (for annual collections exceeding \$10 million), weekly (between \$2 million and \$10 million), or monthly (under \$2 million) schedule. Previously, all counties submitted their collections on a monthly basis. This speed-up, effective September 1983, generated a \$13.8 million one-time gain for the 1984-85 biennium.

**SB 985** advanced the due date for filing *Sales and Use* tax receipts to the 20th day of the month following the end of the reporting period. Previously, taxpayers had until the last day of the month following the end of the reporting period to remit their collections. This speed-up, effective October 1983, generated a \$168.6 million one-time gain for the 1984-85 biennium.

**SB 986** advanced the payment due date for the *Public Utility Gross Receipts* assessment to August 15 from August 31. This speed-up made an additional \$14.7 million available for spending in 1983.

**SB 987** accelerated the payment due date for the *Insurance Premium* taxes in 1984 and established a quarterly prepayment schedule to supersede the former annual payment requirement. This bill also increased the tax rate applicable to foreign (those domiciled out-of-state) life, accident and health insurers; but **HB 122**, enacted the following year, muted the bill’s fiscal implications. The speed-up, effective August 1984, produced a \$143.8 million one-time gain for the 1984-85 biennium.

**SB 988** advanced by 10 days the August monthly due date for the *Oil Production*, *Natural Gas Production*, and

*Motor Fuels* taxes. Payments formerly due on August 25 became payable on August 15. Also, before the Legislature enacted SB 988, Natural Gas Production taxpayers calculated their monthly tax liability on the volumes produced during the previous two months. SB 988 required Natural Gas Production taxpayers to remit tax payments for July production by the August due date in odd-numbered years. This meant that, henceforth, odd-numbered years would show 13 monthly tax payments while even-numbered years would show only 11 monthly payments. These speed-ups, which became effective for August 1985 tax payments, produced an \$89.9 million one-time gain in 1985.

**HB 2108** accelerated *Cigarette* tax collections by requiring full payment by August 31 in the second year of the biennium for all tax stamp credit purchases executed on or before August 16 of that year. This change, effective August 1983, produced a \$7 million one-time gain in 1983 but a \$3.5 million loss for the 1984-85 biennium.

Finally, **HB 1122** abolished several minor occupation taxes relating to pistol dealers, billiard table owners or operators, ship brokers, quotation services and brokers and factors.

## 1984: The 68th Legislature, Second Called Session

Governor Mark White reconvened the 68th Legislature for a Second Called Session in June 1984 to finance the public education improvements required by HB 72 and the construction necessary to rebuild and expand the state's highway system. The special session produced HB 122, the state's first major tax bill since 1971.

**HB 122** became effective October 2, 1984 and affected almost every major state tax group other than severance taxes. The bill raised the *Sales and Use* tax rate to 4.125 percent from 4 percent. It also expanded the *Sales and Use* tax base to include:

- cigarette and tobacco sales;
- cable TV service;
- auto parking and storage;
- laundry and dry-cleaning services;
- amusement admissions;
- computer software (pre-programmed);
- newspaper and magazine subscriptions (semi-annual or longer exempted in 1987);

- over-the-counter newspaper sales (also exempted in 1987);
- repair of tangible personal property (excluding auto);
- home fertilizer; and
- vending machine sales of ready-to-eat food.

HB 122 also increased the *Motor Vehicle Sales and Use* tax and the *Motor Vehicle Rental* tax rates to 5 percent from 4 percent, effective August 1984. It doubled the *Motor Fuels* tax rates from 5 cents to 10 cents per gallon, effective August 1984. The bill bumped the *Franchise* tax rate up by a dollar to \$5.25 per \$1,000 of taxable capital and surplus, effective for tax reports due in fiscal 1985. It raised the *Hotel Occupancy* tax from 3 percent to 4 percent, effective October 1984; and it doubled the *Coin-Operated Machine* tax from \$15 to \$30, effective October 1984.

HB 122 increased the various *Alcoholic Beverage* tax rates by 20 percent and raised the *Cigarette* tax by two cents over a two-year period. Formerly set at 18.5 cents per pack, the *Cigarette* tax rose to 19.5 cents per pack, effective October 1984, then to 20.5 cents, effective September 1985. The bill also broadened the *Cigar and Tobacco Products* tax base to include snuff.

With respect to *Insurance Premium* taxes, HB 122 revised certain foreign/domestic provisions, revised the retaliatory tax calculation methodology (subsequently repealed by HB 1421 in 1989), and eliminated the exemption for first-year premiums. The bill placed banks under the *Franchise* tax, eliminated the *Ad Valorem* tax on bank stock, and increased *Motor Vehicle Registration* fees. Finally, the bill raised *Higher Education Tuition* fees for non-resident and foreign students.

HB 122 produced tax revenue gains totaling \$1.2 billion (with \$350 million dedicated to highways) in 1985 and \$2.6 billion (with \$750 million dedicated to highways) for the 1986-87 biennium.

## 1985: The 69th Legislature, Regular Session

When the 69th Legislature convened in January 1985, the new revenues generated by HB 122 and an expanding state economy appeared sufficient to get the state through

the next biennium without a major tax bill. However, under pressure to maintain higher education funding at current service levels and to finance an employee pay raise and indigent health care, the Legislature enacted **HB 1593**, which hiked tuitions, licenses and other fees. Also, the Telecommunications Act, **HB 1949**, transferred a major portion of the *Telephone Company* tax base to the *Sales and Use* tax base and abolished the *Telegraph* tax. HB 1949 became effective October 1, 1985. During this session, the Legislature also passed **HB 2359**, which enacted the first Waste Disposal Facilities, Generators and Transporters fees.

## 1986: The 69th Legislature, Third Called Session

The state's revenue outlook grew cloudy in January 1986, when oil prices took another nosedive. By July, prices for some grades of oil had fallen below \$10 per barrel, and the state plunged into a severe economic recession. The ensuing slide in severance and other tax revenues threatened to throw the state budget into serious deficit, with a shortfall projected to reach as deep as \$2.9 billion. Following two unsuccessful special sessions, Governor White brought the Legislature back for a Third Called Session that September. This time the Legislature bridged the projected revenue gap by cutting back appropriations and imposing a temporary tax increase. The Legislature also authorized the state to issue "cash management notes" (short-term bonds) as a device for covering temporary cash shortfalls.

**HB 79**, the new tax legislation, became effective January 1, 1987. The bill provided for two temporary tax increases, each set to expire on August 31, 1987. It raised the *Sales and Use* tax by 1.125 percentage points to 5.25 percent; and it raised *Motor Fuels* taxes by a nickel, to 15 cents per gallon. These increases generated a \$791 million gain in 1987 (with \$212 million dedicated to highways) and a \$111 million "spillover" gain (with \$31 million dedicated to highways) in 1988.

## 1987: The 70th Legislature, Second Called Session

The 70th Legislature concluded its regular session June 1, 1987 without writing a state budget. The Second Called

Session, convened by Governor Bill Clements on June 22, resolved the standoff and enacted two bills, HB 61 and HB 62, which increased taxes by \$6.1 billion for the 1988-89 biennium. Combined, the two bills represented the largest tax hike in any state's history up to that time.

**HB 61** raised the *Sales and Use* tax rate to 6 percent, effective October 1987, and allowed the temporary 5.25 percent rate, scheduled to revert to 4.125 percent on September 1, to carry over until the new rate became effective.

HB 61 also expanded the *Sales and Use* tax base to include:

- custom software;
- for-profit country club memberships;
- credit reporting and debt collection services;
- certain insurance, information, and real property services;
- security services;
- data processing services; and
- real property repair and remodeling.

The bill generated additional *Sales and Use* tax revenue by revising the provisions governing discounts and exempt sales. For example, it reduced the "timely filer" discount and redefined the "commercial use" of gas and electricity to include the amounts used for the storage or preparation of food for immediate consumption.

HB 61 also raised the *Motor Vehicle Sales and Use* tax rate to 6 percent from 5 percent, effective October 1987. It increased the *Hotel Occupancy* tax rate to 6 percent from 4 percent, effective September 1987. It increased the *Cigarette* tax by more than a nickel from 20.5 cents to 26 cents per pack, effective October 1987; and it boosted the *Cigar and Tobacco Products* tax rates for snuff and for chewing and pipe tobacco to 28.125 percent, also effective October 1987.

HB 61 repealed what remained of the *Telephone Company* tax (and shifted most of its base to the *Sales and Use* tax), created the *Administrative Services* tax (at 2.5 percent of insurance administration revenues, effective September 1987), and imposed several temporary taxes and fees, each designed to lapse after two years. (The *Administrative Services* tax was subsequently challenged in court and held to be in conflict with federal law in 1991.)

HB 61's temporary provisions included raising the *Franchise* tax from \$5.25 to \$6.70 per \$1,000 of taxable

capital and surplus, effective for 1988 and 1989 reports. The bill also imposed a 20 percent *Insurance Premium* surtax on all insurance premiums (effective for premiums written during calendar years 1987 and 1988) and a \$110 annual *Attorney Licensure* tax. Likewise, HB 61 raised various *Professional* fees by \$110, effective only for the 1988-89 biennium.

Finally, HB 61 granted a *Sales and Use* tax exemption for manufacturing machinery and equipment, phased-in over five years. (The 70th Legislature originally scheduled this exemption to become effective for sales on or after January 1, 1991; but in 1991 the 72nd Legislature delayed implementation of the exemption in HB 11)

**HB 62**, the other tax bill, made permanent the five-cent *Motor Fuels* taxes increase, originally enacted as temporary by the 69th Legislature, Third Called Session in 1986 (HB 79).

The HB 61 and HB 62 tax hikes generated an extra \$6.1 billion (with \$713 million dedicated to highways) for the 1988-89 biennium.

## 1989: The 71st Legislature, Regular Session

The 71st Legislative Session convened January 1989, following the Comptroller's forecast that the 1988-89 biennium would end with a small surplus. Unfortunately, the excess funds did not appear sufficient to bridge the budget gap projected for the 1990-91 biennium. The temporary tax and fee hikes that the Legislature adopted as short-term solutions during the previous session imposed a budget dilemma for the next session. If kept in place, they would generate some \$600 million during 1990-91; allowing them to lapse as scheduled at the end of fiscal 1989 meant that the Legislature would have to cut spending by the same amount or impose other new taxes.

This time the Legislature managed to cover the potential budget shortfall and avoid a tax increase (or extension) by adopting various accounting measures and resolving several legal challenges. In what had grown into a major problem during the 1980s, several large taxpayer groups — insurance, franchise, and gas utilities — brought court actions contesting the state's tax laws. The Legislature responded by enacting "clean-up" legislation that not only addressed legal

challenges but released considerable cash reserves held in suspense or as a contingency against possible refunds.

**HB 1306** increased 1990-91 *Franchise* tax receipts available to the state by \$208.4 million by resolving two legal controversies surrounding the tax. One question focused on whether pre-acquisition earnings belonged in the tax base. Following a successful lawsuit challenging the inclusion, the Legislature enacted HB 1306, which redefined the tax base to specifically include such earnings. The second question involved the tax code apportionment formula used by firms conducting business outside Texas. HB 1306 eliminated the *Franchise* tax law provision that gave taxpayers the option of using a three-factor apportionment formula (based on sales, payroll and property), thereby forcing all taxpayers to use the single-factor formula based on gross receipts.

The Legislature enacted two bills to resolve legal challenges brought by "foreign" insurers (i.e., those domiciled in a state other than Texas) against the state's *Insurance Premium* taxes. **HB 1421** repealed the provisions in HB 122 (68th Legislature, Second Called Session, 1984) relating to retaliatory taxes owed by foreign property and casualty insurers. Following a successful lawsuit by one large insurer, the bill permitted foreign insurers to use the state's basic tax rate to calculate their tax liability. To compensate for the reduced retaliatory tax, HB 1421 raised the minimum rate from 1.2 percent to 1.6 percent and raised the rate paid by unauthorized and surplus lines carriers from 3.85 percent to 4.85 percent. The bill also granted insurers organized as reciprocal exchanges an optional 1.7 percent flat tax rate.

**HB 1954** resolved a legal dispute between the state and life, accident and health insurers. This involved the staggered tax rate schedule applicable to domestic and foreign entities. The tax rates varied from 1.1 to 2.5 percent, with the lower rates for firms with higher proportions of their investments in Texas. Several insurers complained that the investment requirements discriminated against foreign insurers. As a compromise, the Legislature offered to phase-out the existing rate structure over several years, with a flat 1.75 percent tax rate to become effective for 1995 calendar year premiums. For their part, the insurers relinquished any claims for taxes paid under protest and dropped their law-



suit. Together, HB 1421 and HB 1954 increased *Insurance Premium* tax revenues \$141 million during the 1990-91 biennium.

**HB 2945** redefined the tax base for the *Gas Utility Pipeline* tax. One major taxpayer had challenged the tax, which used gross receipts as its base. The bill redefined the tax base as gross income and doubled the tax rate from 0.25 percent to 0.5 percent to compensate for the base loss.

**HB 24** created the *Controlled Substances* tax and fine, set at \$3.50 per gram of marijuana with a 4 ounce minimum and \$200 per gram for other controlled substances with a 7 gram minimum. Covered substances not bearing the required tax stamps upon discovery became subject to a fine. This tax, which became effective in fiscal 1990, raised \$300,000 during the 1990-91 biennium and \$800,000 during the 1992-93 biennium. (In 1991 the Legislature adopted HB 2595, which extended the tax to controlled substances not sold by weight. The new tax stamp cost \$2,000 per 50 dosage units.)

**HB 428** reduced the *Oil Production* tax rate to 2.3 percent from 4.6 percent for all oil produced in a certified new project using Enhanced Oil Recovery (EOR) techniques. Similarly, **SB 963** provided an exemption under the *Natural Gas Production* tax for gas produced by certain “high-cost” wells. The Legislature made the exemption effective for a 10-year period beginning September 1, 1991.

**HB 2619** implemented a second *Cigarette* tax speed-up by requiring all credit purchasers of tax stamps to remit full payment for stamps by the close of the biennium. This bill, effective August 1991, generated \$24 million for fiscal 1991. Finally, **HB 112** sped up the effective date of the *Sales and Use* tax manufacturing exemption for machinery and equipment with a useful life of more than six months, making it applicable for property purchased during 1990.

## 1989: The 71st Legislature, First Called Session

In June 1989, Governor Clements announced the First Called Session of the 71st Legislature to reform the state’s workers’ compensation insurance program. As the session progressed, the call was opened to other topics. Among the legislation passed, **HB 40** changed the effective date of the

reduced *Oil Production* tax rate for EOR projects under HB 428, 71st Regular Session, from January 1, 1990 to July 1, 1989. The accelerated effective date extended the period in which the reduced tax rate would be available by six months, to four and one-half years. The net effect was to provide \$348,000 in tax relief for the 1990-91 biennium.

## 1989: The 71st Legislature, Second Called Session

In November 1989, Governor Clements announced a Second Called Session of the 71st Legislature to complete the work of the preceding session on workers’ compensation reform. The resulting legislation, **SB 1**, eliminated the Industrial Accident Board and created two new entities: the Texas Workers’ Compensation Commission and the Texas Workers’ Compensation Research Center (since abolished). To fund the commission, SB 1 increased the *Workers’ Compensation Commission Maintenance* tax rate. The bill also created a new *Workers’ Compensation Research Center Maintenance* tax to provide the center its own funding source. These measures produced an additional \$10.7 million in 1990 and \$35.2 million in 1991.

## 1990: The 71st Legislature, Sixth Called Session

Following the State Supreme Court’s *Edgewood v. Kirby* decision, which declared the state’s public education financing mechanism unconstitutional, Governor Clements convened the Legislature four times between February and June 1990. The last session, the Sixth Called Session of the 71st Legislature, produced three revenue bills to finance public school reform and certain short-term budget demands faced by the Department of Human Services and other agencies.

**HB 4** increased the fee for duplicate driver licenses and identification cards from \$5 to \$10. **HB 5** raised the fees for oversized and overweight transport vehicles. **HB 6**, which became effective July 1990, increased the *Sales and Use* tax from 6 percent to 6.25 percent; the *Cigarette* tax from 26 cents to 41 cents per pack; the *Cigar and Tobacco Products* tax from 28.125 percent to 35.213 percent; and the *Mixed Beverage* tax from 12 percent to 14 percent. HB 4 and HB 5 raised



\$14.7 million for the 1990-91 biennium and \$29.8 million for the 1992-93 biennium. HB 6 raised \$576 million for the 1990-91 biennium and \$1.1 billion for the 1992-93 biennium.

## 1991: The 72nd Legislature, Regular Session

In January 1991, the Comptroller's 1992-93 *Biennial Revenue Estimate* indicated that even though available revenues collected during the 1992-93 biennium would exceed revenues for the previous biennium by \$1.9 billion, they would fall \$4.8 billion below the current services budget laid out by the Legislative Budget Board (LBB).

Rather than attempt to write a budget under such constraints, the Legislature directed the LBB to audit the state's budget and spending procedures and submit its findings to the Governor by July 1, 1991. The audit, which the LBB assigned to the Comptroller's Office, was called the "Texas Performance Review" (TPR).

As expected, the 72nd Legislative Session adjourned without completing a state budget. It did, however, produce a number of tax-related bills. **SB 1105** reduced the *Oil Production* tax rate to 2.3 percent for incremental production from the expansion of EOR projects in existence before September 1, 1989. This provided short-term tax relief that totaled \$13.5 million for the 1992-93 biennium. **HB 2**, an insurance reform bill, expanded the base for the *Office of Public Insurance Counsel* (OPIC) assessment and reduced the proportion of guaranty fund assessments that insurers could claim as a credit against their *Insurance Premium* tax liability. These provisions produced \$2.6 million in new revenue for the 1992-93 biennium.

**HB 278** created the Texas Limited Liability Company Act and extended the *Franchise* tax base to include limited liability companies. **HB 640** created the Automobile Theft Prevention Authority and established an *Automobile Theft Prevention Authority* fee of \$1 per insured motor vehicle year to fund the authority. The new fee produced \$17.1 million for the 1992-93 biennium. **HB 651** clarified and tightened the exemptions relating to the *Hotel Occupancy* tax; it generated \$440,000 in 1993. Finally, **HB 1986** enacted the *Battery Sales* fee and **SB 14** enacted the *Coastal Protection* fee.

## 1991: The 72nd Legislature, First Called Session

Upon receipt of the TPR report, Governor Ann Richards reconvened the Legislature in a First Called Session to write the state's budget for 1992-93. The session's principal budget-related efforts involved three bills: HB 11, the tax and fee bill; SB 3, the fiscal management bill; and HB 54, the state lottery bill.

**HB 11** included 29 separate changes affecting fees or taxes and made an extra \$2.1 billion available for the 1992-93 biennium. The biggest change involved the *Franchise* tax. As discussed previously, this tax, formerly levied at a rate of \$5.25 per \$1,000 in taxable capital and surplus, had suffered considerable base erosion due to court challenges — to the point where the state was refunding as much as half of its gross collections. The state's major business tax had become an unpredictable, unreliable and inefficient revenue source.

HB 11 sought to remedy the problem by splitting the tax base into two components, taxable capital and "earned surplus," the latter defined as federal taxable income (before any net operating loss deductions), with officer and director compensation added back into the base. In effect, the new bill required taxpayers to pay the higher of either the tax on capital, set at \$2.50 per \$1,000 in taxable capital, or the tax on earned surplus, set at 4.5 percent of earned surplus.

In addition to restructuring the *Franchise* tax, HB 11 continued the trend toward gradually expanding the *Sales and Use* tax base. The bill added as taxable packaging, telephone answering services, non-profit country club membership fees, amusement ticket sales by non-profit organizations, and personal property used to improve realty owned by certain exempt entities. It removed boat and boat motor sales from the *Sales and Use* tax base and placed them under a separate *Boat and Boat Motor Sales and Use* tax, also levied at 6.25 percent.

HB 11 delayed implementing the partial *Sales and Use* tax exemption for manufacturing machinery and equipment, as originally called for by HB 61 in 1987. Instead of allowing all businesses to qualify for refunds or reduced *Sales and Use* taxes for eligible purchases in 1992-93, HB 11 authorized *Franchise* taxpayers to claim a credit for a portion of

their *Sales and Use* tax payments for purchases of qualifying machinery and equipment. The bill, however, required firms to wait until fiscal 1994 before claiming the credits.

HB 11 increased the *Motor Vehicle Sales and Use* tax from 6 percent to 6.25 percent, putting it on parity with the “general” *Sales and Use* tax rate; increased the *Bingo Gross Receipts* tax; and created a higher, 10 percent tax rate for *Motor Vehicle Rentals* for 30 or fewer days. HB 11 also pushed the *Gasoline* and *Diesel Fuel* tax rates up another nickel — from 15 cents to 20 cents per gallon. Finally, HB 11 increased Professional fees paid by such occupations as physicians, dentists, optometrists, psychologists, chiropractors, veterinarians, architects, real estate brokers, engineers and security dealers by \$200; levied a separate \$200 annual *Attorney Occupation* tax on active attorneys; increased Motor Vehicle Driver Record, General Business Filing, Court Cost and various other fees; and enacted the *Bingo Rental* tax and *Bingo Prize* fee.

SB 3, the fiscal management reform bill, consolidated many general operating and disbursement funds into the General Revenue Fund 0001, increased *Motor Vehicle Certificate of Title* fees from \$10 to \$13, and delayed the August *Motor Fuels* taxes allocation until September. It also replaced the county *Motor Vehicle Sales and Use* tax allocation with a portion of *Motor Vehicle Registration* fees, effective January 1992.

HB 54, along with voter approval on November 5, 1991 of an amendment to the Texas Constitution, established a State Lottery. Texans bought their first tickets on May 29, 1992. Operated by the Comptroller’s Office through 1993, the lottery generated net state revenues totaling \$812.3 million — \$307 million above expectations — during the 1992-93 biennium. Record-setting sales and the efforts by the Comptroller’s office to start both instant ticket and on-line sales well ahead of schedule accounted for the higher than expected sales.

In total, HB 11, SB 3, HB 54, and other miscellaneous revenue generating bills made available \$3.6 billion in tax revenue, fees and lottery proceeds to balance the state’s 1992-93 budget.

## 1993: The 73rd Legislature, Regular Session

In January 1993, the Comptroller’s *Biennial Revenue Estimate* for 1994-95 projected that state revenues available for general purpose spending would increase by \$1.8 billion over the previous biennium to \$36.4 billion. This represented a 12.3 percent growth rate — the smallest increase since 1988-89.

Among this session’s major tax legislation, three bills — SB 82, SB 83, and HB 1461 — involved the speed-up of tax collections. SB 82 affected three major taxes: *Sales and Use* tax; *Franchise* tax; and *Hotel Occupancy* tax. Subject to waiver by the Comptroller, SB 82 required monthly *Sales and Use* tax electronic filers who received a payment for sales made between August 1 and August 15 to remit that tax by August 20. This would have become effective September 1994 and expired January 1996. However, the Comptroller subsequently waived this provision; thus, it never took effect. For *Franchise* taxpayers, SB 82 advanced the annual liability reconciliation date to August 15 (from November 15). This speed-up affected only taxpayers required to pay electronically and became effective for the 1995 report year. The bill also required *Hotel Occupancy* taxpayers to remit their collections on the same schedule as *Sales and Use* tax payments, effective October 1994.

SB 82 increased tax revenues by \$141.7 million during the 1994-95 biennium. The new revenues involved \$34.8 million in *Sales and Use* tax receipts (including \$21.6 million in TPR-related enhanced enforcement measures), \$106.9 million in net *Franchise* tax receipts, and \$12 million in *Hotel Occupancy* tax receipts.

SB 83 provided an additional \$17.4 million revenue gain for the 1994-95 biennium by requiring *Public Utility Gross Receipts* assessment payers to remit one-half of their estimated 1995 taxes (normally due on August 15, 1995) with their August 15, 1994 payment and to remit the remaining portion on February 15, 1995.

HB 1461 transferred the authority to collect *Insurance Premium*, *Maintenance*, and other insurance-related taxes to the Comptroller’s Office from the Department of Insurance. The bill also changed *Insurance Premium* tax prepayment due dates from a quarterly (March, May, August and

November) schedule to a semiannual (March and August) schedule. This provision, effective March 1994, effectively increased fiscal 1994 remittances by the amount the state would have collected in November 1994 (fiscal 1995). HB 1461 generated one-time revenue gains of \$105 million for fiscal 1994.

The Legislature also enacted one tax increase relating to certain insurance purchases. **HB 958** revised the statutes relating to surplus lines insurance and implemented a uniform 4.85 percent rate for eligible surplus lines carriers. In other tax-related legislation, **HB 1970** effectively expanded the *Boat and Boat Motor Sales and Use* tax base; and **HB 2771** eliminated the state and local *Bingo Gross Receipts* tax and raised the *Bingo Prize* fee.

In addition, the Legislature passed several *Oil Production* and *Natural Gas Production* tax bills designed to encourage drilling and production. **HB 1974** established a tax credit system for persons drilling new-field discovery wells, conditional upon the total number of new discovery wells in the state reaching specific target levels. **HB 1975** provided a 10-year exemption from *Oil Production* and *Natural Gas Production* taxes for production from wells that had been inactive for three or more years. **HB 2723** expanded the definitions of (tax exempt) high-cost gas and (reduced tax rate) EOR projects. These three bills became effective on September 1, 1993. **SB 466**, effective on January 1, 1994, extended the application period for obtaining certification as an EOR project. By design, any tax losses associated with the four energy bills would not occur until 1996; thus, they had no effect on 1994-95 revenues. Losses for the 1996-97 biennium totaled \$66.4 million.

## 1995: The 74th Legislature, Regular Session

In January 1995, the Comptroller's *Biennial Revenue Estimate* for 1996-97 projected that the state would have \$46.9 billion available for general purpose spending — a \$7.8 billion increase over the amount certified as available for the 1994-95 appropriation. (Of this amount, \$3.3 billion came from previously dedicated revenue, and \$4.5 billion came from sources used to certify 1994-95 appropriations.)

Major tax-related bills enacted during the 74th Legislature included **SB 3**, which repealed the *Interstate Motor Carrier* tax, effective September 1, 1997; HB 2128, relating to the *Public Utility Gross Receipts* assessment; HB 398, which provided *Natural Gas Production* tax incentives for high-cost gas; HB 462, which made the *Sales and Use* tax applicable to purchases by prison inmates; and HB 2129, which concerned the *Hotel Occupancy* tax.

**HB 2128** provided for an extension of the speed-up provision enacted by the 73rd Legislature in SB 83. SB 83 had required *Public Utility Gross Receipts* assessment payers to remit one-half of their estimated 1995 taxes (normally due on August 15, 1995) with their August 15, 1994, payment and to remit the remaining portion on February 15, 1995. Essentially, this provided a year and a half's worth of tax revenue in fiscal 1994. The provision was to expire in fiscal 1997. HB 2128 delayed the expiration date by one year, thereby allowing a year's worth of revenue to be collected in fiscal 1997, but only one-half of a year's worth to be collected in fiscal 1998. The delay provided a one-time gain of \$18.3 million for the 1996-97 biennium.

HB 2128 also established the Telecommunications Infrastructure Fund, to be supported by the *Telecommunications Infrastructure Fund (TIF)* assessment. As enacted, the annual assessment was to be set by the Comptroller at two separate rates that would generate \$75 million annually from telecommunications utilities and another \$75 million from commercial mobile service providers. Because of a successful legal challenge concerning the dual rate structure, the assessment brought in \$191.4 million for the 1996-97 biennium — roughly \$100 million less than originally intended.

**HB 398** extended and modified the *Natural Gas Production* tax reduced rate program for high-cost gas wells. Qualifying wells spudded or completed after August 31, 1996 and before September 1, 2002, became eligible for a reduced tax rate for a 120-month period from the date of first production. The bill provided a rate reduction program based on the ratio of reported drilling and completion costs per well to an amount equal to twice the value of the median drilling and completion costs for all wells for which applications had been filed for the year. Because the benefits of the reduced rate program would not become available until

fiscal 1998, there were no revenue losses for the 1996-97 biennium associated with the bill. Losses for the 1998-99 biennium were estimated at \$32.2 million. The inclusion of prison inmate purchases in the *Sales and Use* tax base, as enacted by **HB 462**, added another \$1.5 million for the 1996-97 biennium.

**HB 2129** amended the procedure for exempting government entities from payment of the *Hotel Occupancy* tax. Pursuant to the change, revenues for the 1996-97 biennium increased by \$3.2 million. **SB 60** enacted the *Concealed Handgun* fees **SB 401**, enacted a TPR recommendation and granted the Comptroller increased enforcement capabilities that generated an estimated \$40 million in *Sales and Use* tax collections for the 1996-97 biennium.

## 1997: The 75th Legislature, Regular Session

In January 1997, the Comptroller's *Biennial Revenue Estimate* for 1998-99 projected the state would have \$50 billion available for general purpose spending — a 7.8 percent increase over the \$46.4 billion certified as available for the 1996-97 appropriation. In an effort to limit spending increases and to provide local property tax relief, the 75th Legislature concentrated on cost-saving measures and **HB 4**, the local property tax relief legislation initiated by Governor George W. Bush

**HB 4** originally proposed replacement of the *Franchise* tax with a value-added tax levied on all business entities and one-half percent rate hikes in both the state *Sales and Use* tax and the *Motor Vehicle Sales and Use* tax. The \$4.3 billion in additional revenues provided by these changes would be used to help pay for \$5.7 billion in school property tax relief. House amendments dropped the value-added tax and the increases in the *Sales and Use* and *Motor Vehicle Sales and Use* tax rates and added provisions to broaden the *Franchise* tax and *Sales and Use* tax bases, increase the tax rates in other taxes, and create a number of new taxes and fees. The Senate countered with a more incremental approach to tax reform, creating an impasse that resulted in a proposed constitutional amendment (subsequently approved by voters in August 1997) raising the homestead exemption from \$5,000 to \$15,000, yielding \$1.04 billion in local property

tax relief. The increase in the exemption became effective for the 1997 tax year. **HB 4** also established a cap on the allowable prize payout for the state lottery and dedicated the unobligated lottery balance (which had previously been allocated to General Revenue) to the Foundation School Fund.

**HB 966** (with the same language repeated in **HB 2542**) expanded the *Boat and Boat Motor Sales and Use* tax base to include commercial boats 65 feet or less in length. This legislation, effective September 1, 1997, produced an estimated \$654,000 for the 1998-99 biennium.

**HB 1200** was a partial response to a TPR proposal to provide a “lifetime” motor vehicle driver license and extended the term of each new or renewal operator license by 50 percent — to six years from four years. The *Motor Vehicle Driver License* fee was adjusted upward accordingly — from \$16 to \$24, thereby generating an additional \$57.6 million in “speed-up” revenue for the 1998-99 biennium. This bill became effective September 1, 1997.

**HB 1387** established a semi-annual payment schedule for the *Automobile Theft Prevention Authority* fee. Under **HB 1387**, payment was due on March 1 for the last six months of the previous year and on August 1 for the first six months of the current year. Because a full 12 months of coverage (for 1997) would be collected March 1, 1998 and another six months of coverage (for the first half of 1998) would be collected on August 1, 1998, this bill was expected to produce an estimated \$6.5 million “speed-up” in revenue for the 1998-99 biennium.

**HB 1855** amended the *Sales and Use* tax exemption for personal property used in the manufacturing process. The bill specifically limited the exemption to essential property used directly in the manufacturing process makes or causes a physical or chemical change in 1) the product being manufactured for sale, or 2) an preliminary or intermediate product that becomes part of the final product for sale. In addition, the bill clarified intraplant transportation equipment did not qualify for the exemption. This bill became effective October 1, 1997 and produced an estimated \$128.2 million for the 1998-99 biennium.

**SB 226** allowed for the creation of Defense Economic Readjustment Zones. Under this bill, Defense Readjustment Projects designated by the Texas Department of Economic



Development would be able to request *Sales and Use* tax refunds of \$2,500 paid on qualifying purchases for each new permanent job created or retained, not to exceed \$250,000 annually. Also, for *Franchise* tax reporting, corporations designated as qualified projects would be permitted to deduct either 1) from their apportioned taxable capital, 50 percent of their capital investment in the zone, or 2) from their apportioned earned surplus, 5 percent of their capital investment in the zone. This bill, which became effective May 19, 1997, was estimated to cost \$4.1 million in the 1998-99 biennium and \$11.2 million in the 2000-01 biennium.

**SB 249** set the *Telecommunications Infrastructure Fund* assessment rate at a flat 1.25 percent for all payers. The bill required the rate to remain in effect until the revenue collected reached \$1.2 billion, at which point the Comptroller would set a final year rate to allow the total collections to come as close to \$1.5 billion as possible without exceeding that figure. This bill became effective July 1, 1997.

**SB 385** increased the *OPIC* assessment for life, accident and health insurance to 5.7 cents from 3 cents per policy to cover the costs of *OPIC*'s increased responsibilities under SB 385. This bill, which applied to policies issued in and after calendar 1998, was expected to produce \$342,000 in the 1998-99 biennium and \$729,000 in the 2000-01 biennium.

Finally, the Legislature adopted four bills relating to *Oil Production* and *Natural Gas Production* taxes. **SB 126** created a 10-year tax exemption for oil or gas produced from a well certified by the Texas Railroad Commission as a "two-year inactive well." **SB 582** extended the application period for the existing EOR exemption; and **SB 862** eliminated the "180-day window" and allowed producers to request Texas Railroad Commission certification for a "high-cost" gas well any time after the date of first production. Lastly, **SB 1440** reduced the *Oil Production* tax rate to 2.3 percent on incremental production from improved wells previously producing seven or fewer barrels a day. The bill also reduced the *Natural Gas Production* tax rate to 3.75 percent on incremental casinghead gas production from approved oil leases, and granted an exemption on casinghead gas vented or flared for 12 months or more. All four bills became effective September 1, 1997.

## 1999: The 76th Legislature, Regular Session

In January 1999, the Comptroller's *Biennial Revenue Estimate* for 2000-01 projected the state would have \$58 billion available for general purpose spending — a 11.3 percent increase over the \$52.1 billion certified in 1998-99.

The 76th Legislature's tax agenda focused on SB 4, relating to school funding and local property tax relief; SB 7, relating to electric utility deregulation; and SB 441, relating to *Sales and Use* and *Franchise* tax relief.

**SB 4** provided \$3.8 billion in local school funding and property tax relief. In addition to making possible a \$3,000 statewide teacher pay raise, this bill granted \$1.4 billion in local school district property tax relief for 2000-01.

**SB 7** froze the rates charged by investor-owned electric utilities as of September 1, 1999 and lowered the rates by 6 percent on January 1, 2002. Municipally-owned electric utilities and cooperatives were provided the option of deciding if and when to open their service area to competition. The bill was designed to preserve the tax bases for the *Sales and Use* tax on electricity; the *Gas, Electric, and Water Utility* tax; and the *Public Utility Gross Receipts* assessment.

SB 7 also created the System Benefit Fund by authorizing a fee not to exceed \$0.65 per megawatt hour. The bill imposed the *System Benefit Fund/Non-Bypassable Utility* fee on the customers of investor-owned electric utilities and the customers of those municipal and cooperative electric utilities electing competition. The fund was established to provide for customer education, low-income assistance programs, state agency administrative expenses, and to replace any property tax revenue lost by school districts as a result of electric utility restructuring. This fee was expected to generate \$15.3 million in the 2000-01 biennium.

**SB 441**, the session's major state tax bill, enacted several exemptions and credits relating to the *Sales and Use* and *Franchise* taxes. With respect to the *Sales and Use* tax, the bill provided an exemption for the first \$25 of a monthly charge for internet access service, effective October 1, 1999; an exemption for non-prescription drugs, effective April 1, 2000; an annual three-day clothing and footwear sales tax holiday every August, starting August 1999; and a

20 percent exemption for data processing and information services, effective October 1, 1999.

With respect to the *Franchise* tax, SB 441 added a small business exemption for corporations with less than \$150,000 in gross receipts, effective for tax reports due on or after January 1, 2000; a credit for corporations providing child-care facilities or services for their employees' children; and separate credits for certain research and development activities, qualifying job creation in "strategic investment areas" (SIAs), and qualifying investment in SIAs. Finally, SB 441 added an additional credit for corporations that contribute to the operation of a qualifying "school-age child care program." In aggregate, the *Sales and Use* tax and *Franchise* tax provisions in SB 441 granted \$10.5 million in tax relief in fiscal 1999 and an estimated \$496 million in tax relief for the 2000-01 biennium.

**HB 1014** broadened the *Hotel Occupancy* tax base by including out-of-state public and private institutions of higher education. This revision was expected to generate an additional \$1.5 million in tax revenue for the 2000-01 biennium, effective September 1, 1999. Against these gains, however, the bill required that 1 percent of the *Hotel Occupancy* taxes collected from remitters in South Padre Island be returned to the community for beach cleanup. The amount allocated to South Padre Island was estimated to be \$1 million for the 2000-01 biennium.

**HB 1837** established flat tax rates for the *Insurance Premium* taxes on property and casualty insurance and title insurance, effective for the 2000 tax year and beyond. Previously, the basic tax rate for property and casualty insurance was 3.5 percent; and the basic rate for title insurance was 2.0 percent. Depending on their proportion of Texas investments, however, insurers could qualify for significantly lower rates. This bill established a single rate of 1.6 percent for property and casualty insurance and, likewise, a single rate of 1.35 percent for title insurance. Because the new rates were calculated to be revenue-neutral based on their positive effect on retaliatory tax collections, this change was expected to produce no significant effect on net tax collections.

**HB 3159** created a *Diesel Fuel* tax exemption for fuel used in commercial passenger vehicles operating on fixed routes. Because 25 percent of *Diesel Fuel* tax revenue goes

to the Available School Fund, the bill created a new fee equal to \$0.04875 per gallon and deposited to the fund to make up for the lost tax revenue. This bill, which became effective September 1, 1999, was estimated to create a loss of \$2.1 million to the State Highway Fund 0006 for the 2000-01 biennium.

**HB 3697** eliminated the *Workers' Compensation Insurance Fund* surcharge. The 71st Legislature created the Workers' Compensation Insurance Fund as a quasi-public entity to stimulate competition in the workers' compensation market and to serve as the insurer of last resort. \$300 million in revenue bonds were authorized to cover the Fund's initial capitalization and operating expenses. A new Insurance Maintenance surcharge was levied against all workers' compensation premiums written in the state. To offset the fund's losses incurred as the state's "insurer of last resort," the Legislature granted the fund a 2 percent tax credit against the fund's insurance premium and maintenance tax liabilities.

By 1999, the fund had retired all of its bond debt and acquired a substantial surplus. Consequently, the Legislature passed HB 3697 to remove the tax credit, repeal the surcharge and refund all past surcharge collections. Because the surcharge was not counted as state revenue and the 2 percent tax credit had been exhausted before it could be applied to insurance premium tax liability, this bill had no significant revenue implications for the 2000-01 biennium.

**SB 530** expanded the *Insurance Premium* tax exemption for certain group accident and health insurance policies for municipal and county employees. This bill broadened the exemption to include certain plans for hospital district employees and employees of municipal or county hospitals. This bill, which became effective January 1, 2000, was estimated to have a negligible effect on state revenue for the 2000-01 biennium.

**SB 977** created a *Motor Vehicle Sales and Use* tax exemption for the purchase, purchase for lease, or rental of a machine or trailer used primarily for timber operations. Because it did not become effective until October 1, 2001, this provision was estimated to have no significant effect for the 2000-01 biennium. The bill repealed the current *Sales and Use* tax exemption for the first \$50,000 of the purchase



price of units of machinery used exclusively for certain timber operations and created a new exemption for gas and electricity used by persons engaged in timber operations — both effective October 1, 2001.

In addition, SB 977 granted a *Sales and Use* tax exemption for seedlings, certain chemicals, and machinery and equipment used in timber production, effective January 1, 2008. As a means of phasing-in this exemption, the bill established a schedule allowing purchasers to apply for a credit or refund for a portion of such taxes paid within a defined period. The refundable/creditable portion started at 33 percent for purchases made between October 1, 2001 through the end of calendar 2003, rising to 50 percent for purchases in 2004 and 2005, and topping out at 75 percent for the two calendar years preceding January 1, 2008, at which point the exemption took full effect.

Finally, the Legislature enacted five bills directly affecting energy-related taxes or fees. **HB 2615**, which became effective September 1, 1999, concerned two-year inactive wells and “high-cost” gas wells. The bill extended the application period for the existing 10-year *Oil Production* tax and *Natural Gas Production* tax exemption for oil or gas produced from a well that had been certified by the Texas Railroad Commission as a “two-year inactive well.” (Despite the name, there can be one month of production during that two-year period.) In addition, **HB 2615** (and, similarly, **HB 2104**) extended the existing reduced tax rate for high-cost wells to include wells spudded or completed after August 31, 2002 and before September 1, 2010. **HB 2615** had no fiscal impact for the 2000-01 biennium.

**HB 2816** reduced the *Petroleum Product Delivery* fee schedule by 25 percent, effective September 1, 1999. This fee is used to finance the Groundwater Protection Cleanup Program. Before passage of **HB 2816**, the fee could only be collected when the unobligated balance in the Petroleum Storage Tank Remediation Account fell below \$125 million. **HB 2816** reduced the fund cap to \$100 million and extended the life of the program (which was due to expire on September 1, 2001) an additional two years — until September 1, 2003. Finally, this bill directed no fees could be collected on or after March 1, 2002. Because 2 percent of the fee is credited to the General Revenue Fund as a state service charge,

**HB 2816** was estimated to cause a General Revenue loss of \$1.5 million in the 2000-01 biennium and a \$74.6 million loss to Petroleum Storage Tank Remediation Account over the same period.

**SB 290**, which became effective March 11, 1999, created a temporary *Oil Production* tax and *Natural Gas Production* tax exemption for oil or gas from certain wells under certain market conditions. The temporary tax exemption applied to crude oil wells producing no more than 15 barrels of oil per day per well; and the monthly average price of oil had to be below \$15 per barrel as reported on the New York Mercantile Exchange (NYMEX) for three consecutive months prior to the reporting period. The temporary exemption also applied to natural gas wells producing no more than 90 Mcf of gas per day (and casinghead gas from oil wells producing no more than 15 barrels of oil per day per well); and the monthly average price of gas had to be below \$1.80 per Mcf as reported on the NYMEX for three consecutive months prior to the reporting period.

The price conditions for exemption under **SB 290** were satisfied for only a few reporting months — February, March, and April 1999 — and then only for crude oil production. The three following reporting months — May, June, and July 1999 — failed to qualify for the exemption because the price of oil was above \$15 per barrel during at least one of the three consecutive months preceding them. The temporary gas exemption never went into effect because the average price for gas never fell below \$1.80 per Mcf. **SB 290** had a statutory maximum loss of \$45 million that could be claimed for 1999 production.

**SB 329**, which became effective September 1, 2001, repealed the odd-year estimated tax prepayment for the *Oil Production* tax and *Natural Gas Production* tax. This bill eliminated the estimated prepayment of taxes for the reporting month of July, due on August 15 of each odd-numbered year. Because the effective date was September 1, 2001, the odd-year prepayment had to be paid on August 15, 1999, as well as on August 15, 2001. In addition, **SB 329** repealed the speed-up of the due date for the August payment for gasoline and diesel fuel taxes. This bill had no fiscal impact for the 2000-01 biennium.

## 2001: The 77th Legislature, Regular Session

In January 2001, the Comptroller's Biennial Revenue Estimate for 2002-03 projected the state would have \$60.8 billion available for general purpose spending — a 5.3 percent increase over the \$57.7 billion certified as available for the 2000-01 appropriation.

In contrast to previous sessions, the 77th Legislature had relatively little on its tax agenda; and what there was focused mostly on property tax issues. Nevertheless, several significant bills did become law.

**HB 1200** created the Texas Economic Development Act to allow school districts to limit property appraisals for maintenance and operation (M&O) tax purposes for corporations creating new jobs and investing certain minimum amounts in tangible personal property and improvements in new and existing operations. This bill, which became effective January 1, 2002, had no fiscal impact for the 2002-03 biennium.

**HB 2604** created the Volunteer Fire Department Assistance Fund assessment. Pursuant to the bill, the assessment rate was to be set each year to generate annual revenues of \$15 million based on certain property and casualty insurance premiums. This bill took effect July 1, 2001 and was estimated to raise \$30 million in the 2002-03 biennium. The bill was scheduled to expire September 1, 2011, however, HB 3315 80th Legislature Regular Session repealed this expiration.

**HB 2687** reinstated the *Petroleum Products Delivery* fee on petroleum products when they are withdrawn from a bulk facility and delivered into a cargo tank or barge, or imported into the state in a cargo tank or barge for delivery to another location for distribution or sale. The bill, which took effect September 1, 2001, was estimated to produce \$4.1 million in General Revenue and \$201.2 million for the Petroleum Storage Tank Remediation Account in the 2002-03 biennium.

**HB 3667** created a separate *Fireworks* tax, levied at 2 percent, in addition to the existing applicable state and local *Sales and Use* taxes. This bill, which became effective October 1, 2001, was estimated to generate \$848,000 in the 2002-03 biennium.

**SB 2** created *Sales and Use* tax exemptions for certain non-profit water supply and sewer-service corporations and for certain water and wastewater equipment. The bill, which took effect September 1, 2001, was estimated to reduce state revenues by \$10.9 million for the 2002-03 biennium.

**SB 5** created the Texas Emissions Reduction Plan (TERP) Fund, to consist of revenues generated by several new surcharges: a 10 percent of the *Motor Vehicle Registration* fee for truck-tractors or commercial motor vehicles; a 1 percent *Sales and Use* tax surcharge for each sale, lease, or rental of new or used off-road heavy duty diesel construction equipment; a *Motor Vehicle Sales and Use* tax surcharge of 2.5 percent of the total price paid on every retail sale or lease of model-year 1996 and earlier on-road diesel motor vehicles weighing over 14,000 pounds; a *Motor Vehicle Inspection* fee surcharge of \$10 on each commercial motor vehicle inspection; and a *Motor Vehicle Inspection* special fee of \$225 for a motor vehicle previously registered or titled in another state (this last provision was repealed by HB 2481, 79th Legislature, Regular Session).

SB 5 also provided a *Diesel Fuel* tax exemption for the volume of water, fuel ethanol, biodiesel, or mixtures of any of those elements in the final product. The bill, which took effect September 1, 2001, was estimated to reduce General Revenue-related funds by \$15.6 million and State Highway Fund amounts by \$28.2 million in the 2002-03 biennium. The gain in fee and surcharge revenue to the new TERP fund was estimated to be \$275.6 million.

**SB 63** provided a *Franchise* tax credit for wages paid to persons with certain disabilities, with the credit being equal to 10 percent of wages paid. The credit, which could first be taken on report year 2002 tax reports, was estimated to save taxpayers \$506,000 for the 2002-03 biennium.

**SB 317** included sale-leaseback transactions in the definition for “loan” under the Finance Code, Section 341.001, thereby exempting those transactions from the *Sales and Use* tax. This bill, which became effective September 1, 2001, was estimated to cost General Revenue \$2.7 million for the 2002-03 biennium.

**SB 601** granted *Insurance Premium* tax credits as means to facilitate the creation and funding of certified capital companies (CAPCOs) to invest in Texas businesses. The

Legislature made the bill's implementation contingent upon the availability of sufficient additional revenue to fund the credits. If such additional revenue had become available, the maximum annual General Revenue cost in fiscal 2002 and each year thereafter for a 10-year period would have been \$20 million.

**SB 1839** provided for the establishment of a \$75 million bond program to support nursing home liability insurance and a Nursing Home Stabilization Reserve Fund *Bond Debt Service Maintenance* tax surcharge. The bill also created the Quality Assurance Fund outside of the State Treasury for long-term health care facilities. The fund would consist of the proceeds from a new fee imposed on certain intermediate-care facilities to be used to obtain matching federal Medicaid funds. The bill proscribed collection of the bond debt surcharge until March 1, 2003, contingent on the issuance of revenue bonds before January 2003. The estimated General Revenue-related cost for the 2002-03 biennium was \$3 million.

## 2003: The 78th Legislature, Regular Session

In January 2003, the Comptroller's *Biennial Revenue Estimate* for 2004-05 forecast a severe downturn in state revenues, exacerbated by a \$1.8 billion projected shortfall in the 2002-03 General Revenue ending balance. In contrast to the ending balance surpluses and ever-rising revenue streams that characterized the preceding 10 years, the new estimate projected that the state would have only \$54.1 billion in funds available for general purpose spending — 12.2 percent less than the \$61.6 billion certified as available for 2002-03.

In the past, revenue shortfalls typically led to major tax rate increases and base expansions. The 78th Legislature chose a different path, focusing on spending reductions and relatively obscure fee/assessment hikes. As a result, the session produced few significant tax or fee bills.

**HB 1**, pursuant to Governor Perry's veto of the appropriation to the Research and Oversight Council on Worker's Compensation Commission the commission was effectively abolished on September 1, 2003, thereby moving the *Research and Oversight Council on Workers' Compensation Maintenance* tax. Because the commission's appropriation

was "self-funded" through the dedicated maintenance tax, this action had no significant net fiscal impact for the 2004-05 biennium.

**HB 1365** enacted several revenue increases for the Texas Emissions Reduction Plan Fund (TERP). The bill increased the *Sales and Use* tax surcharge on off-road heavy duty diesel construction equipment from 1 percent to 2 percent, and broadened the scope of the surcharge by including mining equipment and extending the surcharge to both sales and use of equipment. The *Motor Vehicle Sales and Use* tax surcharge on the sale, lease, and use of on-road diesel motor vehicles over 14,000 pounds was extended to include model years later than 1996 but at a lower rate of 1 percent of the total price paid. In addition, the bill increased the *Motor Vehicle Certificate of Title* application fee by \$20 if the applicant's residence is in a county located within a nonattainment area, or by an additional \$15 if the applicant's residence was in any other county. HB 1365 was effective July 1, 2003. The bill was expected to reduce General Revenue by \$4.6 million and increase TERP fund revenue by \$234.9 million in the 2004-05 biennium.

**HB 2292** changed the definition of premiums and revenues for insurance taxation purposes. The definitions of accident and health insurance premiums and HMO revenues were amended to make the premiums and revenues received from the State Treasury by insurers and HMOs for insurance under the Medicaid and the Children's Health Insurance Program (CHIP) subject to *Insurance Premium* and *Insurance Maintenance* taxes. The bill also amended the definition of HMO enrollees to include, for maintenance tax purposes, enrollees covered by the Medicaid and CHIP programs. Effective September 1, 2003, and applicable for reports due on or after January 1, 2004, these specific provisions were estimated to raise an additional \$51.1 million in General Revenue in 2004-05.

**HB 2424**, effective October 1, 2003, made the *Natural Gas Production* tax exemption permanent for high-cost gas. The bill removed the September 1, 2010 expiration date to drill a qualified well. The exemption period for each qualified gas well remained the first 120 consecutive calendar months beginning on the day of first production or until the cumulative value of the tax reduction equals 50 percent

of the drilling and completion costs incurred for the well. Because this change was scheduled not to occur until fiscal 2011, it had no effect on revenues in 2004-05.

The bill made the *Oil Production* tax exemption permanent for new and expanded existing enhanced oil recovery (EOR) projects by deleting the application deadline of January 1, 2008. This provision also had no fiscal impact for 2004-05.

**HB 2425** modified the *Natural Gas Production* tax filing requirements for high-cost gas. Taxpayers that file an application for high-cost gas certification with the Railroad Commission after January 1, 2004 may have received a credit for severance taxes paid on production for the 24 consecutive months immediately preceding the application. Before this bill, taxpayers could receive up to four years or more in severance tax refunds and were not bound by a deadline to apply for those severance tax refunds.

HB 2425 permitted the creation of certified capital companies (CAPCOs), which are state-regulated, privately owned and operated venture capital entities that invest funds in early stage companies doing business in the state. Effective June 20, 2003, the bill reinstated the CAPCO program that had originally passed in 2001 by repealing the implementation contingency clause in the original legislation (SB 601, 76th Legislature). The bill allowed licensed insurers to invest a total of \$200 million in venture capital through qualified CAPCOs and to receive, in aggregate, *Insurance Premium* tax credits totaling no more than \$50 million per year (capped at \$200 million over all years) beginning with the 2008 tax year. These changes had no fiscal impact for the 2004-05 biennium.

HB 2425 implemented provisions to improve and clarify the *Sales and Use* tax refund process; exempted materials used in the construction of certain pharmaceutical cleanrooms; imposed use tax on materials purchased or processed out of state but used in Texas after processing or manufacturing; and implemented destination-based sourcing for services and other elements of the Streamlined Sales Tax Agreement. These changes made available an additional \$36.4 million for the 2004-05 biennium.

**HB 2458** moved the imposition and collection of the *Motor Fuels* tax to the terminal rack from the motor fuel

wholesaler. The bill eliminated the tax exemption for “clear” diesel fuel. Effective January 1, 2004, the bill was estimated to generate a gain of \$35.1 million for 2004-05.

**HB 3459** extended the life of the Telecommunications Infrastructure Fund (TIF) assessment by raising the TIF cap from \$1.5 billion cap to \$1.75 billion. Effective June 30, 2003, this change was expected to generate a gain of \$250 million to the Telecommunications Infrastructure Account for 2004-05. The bill also authorized the Texas Lottery Commission’s participation in multi-jurisdictional lottery games, and subsequently the state joined the MegaMillions (2003) and Powerball (2010) multi-state lottery games.

## 2003: The 78th Legislature, Third Called Session

**HB 28** officially abolished the Research and Oversight Council on Workers’ Compensation, following the Governor’s veto of the council’s HB 1 appropriation after the end of the regular session (see discussion of HB 1, under 2003: The 78th Legislature, Regular Session). To replace the council, the bill established a workers’ compensation research program at the Texas Department of Insurance (TDI) and transferred its property and references in law to TDI. In addition, the bill transferred the balance of the Research and Oversight Council on Workers’ Compensation Account to the Texas Department of Insurance Account and granted TDI the authority to levy the separate *Insurance Maintenance* tax to fund program activities for which funds had been appropriated. Because appropriations for insurance regulation and oversight are self-funded via annual adjustments in *Insurance Maintenance* tax rates, this bill had no net fiscal impact.

## 2005: The 79th Legislature, Regular Session

In contrast to the potential budget shortfall that faced the Legislature during the preceding biennium, the Comptroller’s January 2005 *Biennial Revenue Estimate* for 2006-07 forecast not only a significant upturn in state revenues, but a positive \$2.3 billion 2004-05 ending balance. The new estimate projected the state would have \$64.7 billion in funds available

for general-purpose spending, or 10.8 percent more than the \$58.4 billion certified as available for 2004-05.

With the state's tax revenues and economy seemingly back on track, the 79th Legislature sought to provide school property tax relief, increase funding for school districts, provide more equitable funding for education, and reform the state's chief tax on business — the *Franchise* tax. While these goals took center stage throughout the regular session and each of the subsequent two called sessions in 2005, they remained elusive until a third called session in 2006. Nonetheless, the Legislature did enact a number of unrelated bills affecting state tax and fee revenues.

**HB 7** abolished the Workers' Compensation Commission and transferred responsibility for regulating workers' compensation to the Texas Department of Insurance. As such, the rate-setting authority for the *Workers' Compensation Maintenance* tax was transferred to the successor agency, but there was no substantive change in the tax base. Those portions of the bill affecting the *Maintenance* tax had no direct fiscal implications.

**HB 532** allowed title insurance companies to invest in certified capital companies (CAPCOs), reversing their exclusion in prior law. As the bill would have no effect on the timing or aggregate limit of insurance premium tax credits allowed to be claimed by CAPCO investors, it would have no fiscal impact on the state.

**HB 2161** established several severance tax incentives. The bill created temporary credits for the *Natural Gas* and *Oil Production* taxes for natural gas and oil pumped from low-producing wells. The credits, set to expire September 1, 2007, would apply only when certain trigger prices were met, and could increase until either the taxable price of natural gas dropped to \$2.50 or less per Mcf, or the taxable price of oil dropped to \$22 or less per barrel, at which point the credit would equal 100 percent of the tax due. The bill also established exemptions for the *Natural Gas* tax and *Oil Production* tax for future production from a qualifying orphan well, and an oil tax credit for installation of enhanced energy efficiency equipment on oil wells with marginal production. Effective September 1, 2005, this bill had no net fiscal impact for 2006-07.

**HB 2201** would provide *Franchise* tax deductions for the cost of equipment purchased for a clean coal project. The bill took effect June 18, 2005, and had no significant fiscal impact in the 2006-07 biennium.

**HB 2481** extended the expiration dates of surcharges supporting the Texas Emissions Reduction Plan (TERP) Fund by two years. These surcharges include the *Sales and Use* tax surcharge of 2 percent on off-road heavy duty diesel powered construction equipment, and the *Motor Vehicle Sales and Use* tax surcharges of 1 percent or 2.5 percent (depending on the age of a vehicle) on certain on-road diesel powered trucks, both extended to September 30, 2010. The *Motor Vehicle Registration* fee surcharge of 10 percent on truck-tractors or commercial motor vehicles, and the *Motor Vehicle Inspection* fee surcharge of \$10 on commercial motor vehicles, both extended to August 31, 2010.

**HB 2481** extended the *Motor Vehicle Certificate of Title* two-rate surcharge of \$20 or \$15, depending on the county of residence, until on or after September 1, 2010, at which time the rate would become \$15 regardless of county of residence. This surcharge revenue would continue to be dedicated to TERP until September 1, 2008, then to the Texas Mobility Fund (TMF), except for the \$5 additional amount charged in non-attainment counties that would continue to be deposited to TERP through September 1, 2010, at which time the \$5 would revert to the TMF.

**HB 2481** also repealed the *Motor Vehicle Inspection* special fee of \$225 on motor vehicles previously registered or titled in another state. The Comptroller was directed to determine the amount of money dedicated to TMF each month and transfer a like amount from the State Highway Fund to TERP until September 1, 2010 at which time this provision expired. Along with other revenue-related provisions in the bill, these changes had no significant anticipated fiscal impact in the 2006-07 biennium.

**HB 2883** revised various provisions in state law relating to the Life, Accident, Health, and Hospital Service Insurance Guaranty Association. Among the changes, the bill raised the maximum assessment that could be made against an insurer, and it compressed the rate at which such assessments could be taken as credits against an insurer's *Insurance Premium* tax liability.



For assessments relating to an insolvency occurring on or after September 1, 2005, the credit was allowed at a rate of 20 percent per year over 5 years, instead of 10 percent per year over 10 years. Because the timing and amount of guaranty fund assessments cannot be predicted with any degree of certainty, the fiscal impact could not be estimated. This bill took effect September 1, 2005.

**SB 796** renamed and revised the *Boxing Admissions* tax to bring it more in line with the evolution of the sport. As the *Combative Sports Admissions* tax, the levy became applicable to a wider scope of martial arts contests; but the 3 percent tax on broadcast rights was capped at \$30,000, making the net fiscal impact insignificant. This bill took effect September 1, 2005.

**SB 877** allowed Texas wineries, and out-of-state wineries holding a Texas shipper's permit, to ship wine to consumers in Texas. Out-of-state shippers would be required to remit all applicable state taxes on sales to Texas customers. This bill took effect May 9, 2005, and had no significant fiscal impact.

**SB 1691** exempted premiums for Texas school employees' uniform group health insurance coverage from *Insurance Premium and Maintenance* taxes. This change took effect September 1, 2005, and resulted in a net loss of \$59.4 million in General Revenue in the 2006-07 biennium.

**SB 1863**, a broad fiscal management bill, continued the *Petroleum Products Delivery* fee at the same rates. Previously the rates were scheduled to decrease in fiscal 2006 and 2007. The September 1, 2007 expiration date of the fee remained unchanged. This change generated a \$105.4 million gain to the Petroleum Storage Tank Remediation Account in the 2006-07 biennium. This change took effect September 1, 2005.

**SB 1863** decreased the *Coastal Protection* fee from two cents per barrel to 1.33 cents per barrel. The bill reduced the ceiling on the Coastal Protection Account from \$25 million to \$20 million, and lowered the floor from \$14 million to \$10 million. These provisions resulted in a net loss of \$6.5 million for the Coastal Protection Account for 2006-07. This change took effect August 29, 2005.

**SB 1863** extended the *Telecommunications Infrastructure Fund (TIF)* assessment through August 31, 2011,

increased the ceiling on assessments, and increased General Revenue-related funds by \$400 million in the 2006-07 biennium. This change took effect September 1, 2005.

## 2006: The 79th Legislature, Third Called Session

Following up on the recommendations of the March 29, 2006 final report of the Texas Tax Reform Commission, the Third Called Session of the 79th Legislature enacted five bills that, together, provided a means to reduce school property tax rates and a revenue stream to help fund that relief.

**HB 1** established a procedure to phase in over two years a reduction in the average school district maintenance and operations tax rate, first to \$1.33 per \$100 of taxable value in fiscal 2007, and then to \$1.00 per \$100 of taxable value in fiscal 2008. This bill generated an estimated General Revenue-related cost of \$3.9 billion in fiscal 2007 and \$18.8 billion in the 2008-09 biennium.

**HB 2** created the Property Tax Relief Fund to receive certain new revenues for the purpose of reducing school property tax rates. As such, the bill allocated to the new fund the tax revenue attributable to the revenue gains (defined as the amounts above what would have accrued had current law remained in effect) from the changes implemented by HB 3, HB 4, and HB 5. By itself, this bill had no direct fiscal impact.

**HB 3** made substantial changes to the *Franchise* tax, affecting not only the types of entities subject to the tax, but also how the tax is calculated. Before the changes made in HB 3, only businesses organized as corporations or limited liability companies were subject to the tax. HB 3 extended the tax to other business entities, including limited partnerships, certain general partnerships, business trusts, and other legal entities. Sole proprietorships, general partnerships directly owned only by natural persons, and passive entities remained exempt from taxation.

Before the changes made in HB 3, a taxpayer calculated tax liability as the greater of 4.5 percent of Texas-apportioned earned surplus, or 0.25 percent of Texas-apportioned capital. HB 3 eliminated both the earned surplus and capital bases and replaced them with a firm's "taxable margin," defined as total revenue less the greater of: cost of goods sold, or



total compensation. The tax rate on margin apportioned to Texas was set at 1 percent for most taxable businesses, with a half-rate of 0.5 percent applicable to businesses in retail or wholesale trade.

In addition, HB 3 made changes to the small business exemption provisions of the tax. Before, a business with less than \$150,000 in total gross receipts or a tax liability of \$100 or less owed no tax. HB 3 increased the exemption levels to \$300,000 in gross receipts and \$1,000 in tax liability.

Finally, HB 3 required combined reporting for taxpayer groups with common ownership in those situations where group members are engaged in a unitary business. Before HB 3, franchise taxpayers had to report on a separate-entity basis.

The franchise tax provisions of HB 3 applied to reports due after January 1, 2008. HB 3 made \$6.8 billion in General Revenue–related funds available for school property tax relief in the 2008-09 biennium.

**HB 4** established, effective October 1, 2006, a standard “presumptive value” for the purpose of determining the amount of *Motor Vehicle Sales and Use* tax due on private-party sales of used motor vehicles. This bill made \$30.6 million in General Revenue-related funds available for school property tax relief in fiscal 2007 and another \$85.1 million in the 2008-09 biennium.

**HB 5** raised the *Cigarette* tax rate by \$1.00, making the rate \$1.41 per pack, and raised the *Cigar and Tobacco Products* tax rate on tobacco products other than cigars to 40 percent of the manufacturer’s list price from the former rate of 35.213 percent. Effective January 1, 2007, HB 5 made \$431.7 million in General Revenue related funds available for school property tax relief in fiscal 2007, and another \$1.4 billion in the 2008-09 biennium.

## 2007: The 80th Legislature, Regular Session

The Comptroller’s January 2007 *Biennial Revenue Estimate* for 2008-09 forecast continued with moderate growth in state revenues, with a positive \$7 billion 2006-07 ending balance. The new estimate projected that the state would have \$82.5 billion in funds available for general-purpose

spending — 14.6 percent more than the \$71.9 billion certified as available for 2006-07.

**HB 4** expanded the water-related exemptions in the sales and use tax code to exempt tangible personal property specifically used to process, reuse or recycle wastewater used in fracturing work performed at an oil or gas well. The new exemption was estimated to reduce state sales tax collection in the 2008-2009 biennium by \$1.4 million.

**HB 11** allowed the Comptroller to require wholesalers and distributors of alcoholic beverages and tobacco products to submit to the Comptroller monthly reports of their sales to retailers in the state. Increased audit coverage of retail outlets in response to the information provided through the new reporting procedure was estimated to raise sales tax collections by \$72.5 million in the 2008-09 biennium. This change took effect September 1, 2007.

**HB 735** abolished the Telecommunications Infrastructure Fund (TIF) and the TIF assessment. The 1.25 percent TIF assessment was eliminated at the end of the calendar quarter ending September 30, 2008. Telecommunications utilities and cellular phone companies were allowed to continue to recover from customers, through a monthly billing process, reimbursement of the assessment that had been imposed on those companies. This change resulted in a loss to General Revenue-related funds of \$176 million in the 2008-09 biennium. The bill took effect September 1, 2008.

**HB 1009** expanded the number of municipalities eligible to receive a portion of state *Hotel Occupancy* taxes to fund the cleaning and maintenance of public beaches. The bill’s provisions made Corpus Christi and Port Isabel eligible, and resulted in a loss to General Revenue of \$2.2 million in the 2008-09 biennium. The bill took effect June 15, 2007.

**HB 1332** allowed a credit or refund of the *Diesel Fuel* tax on fuel used as a feedstock for the manufacturing of tangible personal property for resale or used for certain procedures in the production of oil or natural gas, resulting in a loss to General Revenue related funds of \$1.2 million, and a loss of \$3.6 million to the State Highway Fund, in the 2008-09 biennium. The bill took effect September 1, 2007.

**HB 1459** excluded telephone calls made from a pay telephone and paid for with coins from the definition of a

telecommunications service, thereby exempting such calls from the *Sales and Use* tax. This change resulted in a loss to General Revenue related funds of \$2.5 million in the 2008-09 biennium. The bill took effect September 1, 2007.

**HB 1741** renewed an *Insurance Premium* tax credit for certain investments in certified capital companies (CAPCOs), under which the total amount of certified capital for which credits would be allowed would be \$200 million, and the aggregate credits that could be taken each year would be limited to \$50 million. Credit claims could not be filed until fiscal 2013, and therefore there would be no fiscal impact in the 2008-09 biennium. This change took effect September 1, 2007.

**HB 1751** created a new *Sexually-Oriented Business Admissions* fee of \$5 to be paid by customers for admission to businesses providing live nude entertainment or performances. The bill resulted in a dedicated General Revenue funds certification gain of \$87.3 million in the 2008-09 biennium. The bill took effect January 1, 2008.

**HB 1849** repealed the *Life Insurance Valuation* fee imposed on the issuers of life insurance policies, and the corresponding *Insurance Premium* tax credit. These changes resulted in a gain to General Revenue-related funds of \$8.4 million in the 2008-09 biennium. The bill took effect September 1, 2007.

**HB 2982** repealed the expiration dates of *Natural Gas* tax and *Oil Production* tax credits for qualifying low-producing wells, and provided a credit or refund of *Diesel Fuel* tax paid on fuel used in certain oil field well service equipment. The *Diesel Fuel* tax provision took effect September 1, 2007, and resulted in a loss to General Revenue-related funds of \$1.2 million, and a loss to the State Highway Fund of \$3.5 million in the 2008-09 biennium. The *Production* tax repeals took effect January 1, 2008, and had no significant fiscal impact.

HB 2982 also changed the method used by county tax appraisers to value oil and natural gas properties for ad valorem taxation purposes. This change took effect January 1, 2008, and had no significant fiscal impact.

**HB 3314** extended the date by which enhanced efficiency equipment must be purchased and installed on a qualifying marginal well in order to claim an *Oil Production*

tax credit from September 1, 2009 to September 1, 2013. This change took effect September 1, 2007 and had no fiscal impact in the 2008-09 biennium.

HB 3314 also allowed a credit or refund of *Gasoline* tax, *Diesel Fuel* tax, and *Liquefied Petroleum Gas* tax paid on the fuels used by certain metropolitan rapid transit authorities providing specified public school transportation services to a school district. This change took effect July 1, 2007 and resulted in a small loss to General Revenue related funds and the State Highway Fund in the 2008-09 biennium.

(HB 3314 included the sales tax holiday provisions also included in HB 3319. Those changes are explained in the discussion under HB 3319.)

**HB 3315** increased the *Volunteer Fire Department Assistance Fund* assessments levied on certain property and casualty insurance premiums at rates sufficient to yield aggregate annual receipts of \$30 million (an increase of \$15 million), and repealed the assessment's expiration date. This change took effect June 15, 2007.

HB 3315 also authorized the Comptroller to enter into agreements with other states relating to retaliatory taxes and collection of *Insurance Premium* taxes on multi-state surplus lines and independently procured insurance, for which there would be no significant fiscal impact. The bill repealed provisions relating to the treatment of certified capital company premium tax credits under the retaliatory tax to make Texas law consistent with other states' laws, for which the fiscal impact cannot be estimated. These changes took effect June 15, 2007.

**HB 3319** amended *Sales and Use* tax law to exclude certain landman services from the definition of real property services; to clarify the definition of "sale for resale" regarding the transfer of a wireless voice communication device; to require ready-mix concrete contractors to collect and remit the tax and include on sales invoices quantities produced and consumed; to remove tax exemption limitations for pharmaceutical biotechnology cleanrooms; to move the start date for the annual clothing and footwear tax holiday and to add an exemption for certain backpacks; to make technical changes or clarifications to the exemptions for drugs or medicines, tree seedlings grown for commercial timber, and aircraft; and to make various changes affecting local sales

taxes. The sales tax holiday provisions took effect June 15, 2007 and the other provisions took effect September 1, 2007, resulting in a loss to General Revenue of \$101,000 in fiscal 2007 and a gain of \$333,000 in the 2008-09 biennium. (This bill's sales tax holiday provisions were also included in HB 3314)

HB 3319 also exempted from the *Motor Vehicle Sales and Use* tax a hydrogen power-capable vehicle with a fuel economy rating of at least 45 miles per gallon, or a fully hydrogen-powered vehicle. This change took effect September 1, 2007, and the fiscal impact for the 2008-09 biennium could not be estimated.

HB 3554 continued the *Petroleum Products Delivery* fee through August 31, 2011 and reduced the fee's rate schedule. In addition, the bill eliminated the storage tank registration fee. This change was estimated to produce \$1.2 million gain in General Revenue, a \$60.4 million gain for the Petroleum Storage Tank Remediation Account and a \$6.5 million loss for the Waste Management Account in fiscal 2008-09. This change took effect September 1, 2007.

HB 3693 exempted certain energy-efficient products from the *Sales and Use* tax during the Memorial Day holiday weekend each year. This change took effect September 1, 2007 and had estimated losses to General Revenue of \$4.6 million in the 2008-09 biennium.

HB 3694 provided a *Franchise* tax credit for certain capital investments in qualifying enterprise zone projects and a *Sales and Use* tax refund for taxable items purchased for use at a qualified business site related to an enterprise zone project or activity. This change took effect June 15, 2007 and had estimated losses to General Revenue of \$4.4 million and \$9.6 million to the Property Tax Relief Fund in the 2008-09 biennium.

HB 3928 made revisions to the *Franchise* tax to provide a tax discount on a sliding scale for taxpayers with total revenue between \$300,000 and \$900,000, provide an alternative tax calculation for certain taxpayers with less than \$10 million in total revenue, and provide that a taxpayer's gross proceeds from the sale of a loan or security treated as inventory of the seller for federal income tax purposes would be considered gross receipts for apportionment. Those provisions' revenue losses were offset by partnerships rental

incomes reporting, as well as by other minor changes. These changes took effect January 1, 2008, and had no significant fiscal impact in the 2008-09 biennium.

SB 12 extended the expiration dates of surcharges supporting the Texas Emissions Reduction Plan (TERP) Fund by three years, to August 31, 2013. These surcharges included the *Sales and Use* tax surcharge of 2 percent on off-road heavy duty diesel powered construction equipment; the *Motor Vehicle Sales and Use* tax surcharges of 1 percent or 2.5 percent (depending on the age of a vehicle) of certain on-road diesel powered trucks; the *Motor Vehicle Registration* fee surcharge of 10 percent on truck-tractors or commercial motor vehicles; and the *Motor Vehicle Inspection* fee surcharge of \$10 on commercial motor vehicles. The bill continued the *Motor Vehicle Certificate of Title* two-rate surcharge (\$20 or \$15 depending on the county of residence) that was set to become a single-rate surcharge of \$15, and extended the surcharge revenue dedication structure between TERP and the Texas Mobility Fund through September 1, 2015. The bill took effect September 1, 2007, and had no significant fiscal impact in the 2008-09 biennium.

SB 1436 transferred administration of the National Flood Insurance Program from the Texas Commission on Environmental Quality to the Texas Water Development Board, and required that the first \$3.05 million in *Insurance Maintenance* tax collections each fiscal year be deposited in a new account funding the Board's responsibilities. The Department of Insurance would be expected to increase *Insurance Maintenance* tax collections to offset transfers to the new account, resulting in reduced General Revenue-related retaliatory tax collections of \$211,000 in the 2008-09 biennium. The bill took effect September 1, 2007.

SB 1604 requires the holder of a license issued by the Texas Commission on Environmental Quality authorizing the disposal of a radioactive substance from other persons to remit each quarter an amount equal to 10 percent of the holder's gross receipts from disposal operations, with half of each payment deposited to General Revenue and the other half to the disposal facility's host county. The bill took effect June 15, 2007, and the fiscal impact could not be estimated.

SB 1617 exempted certain motor vehicle sales by dealers from the *Motor Vehicle Sales and Use* tax due when a

dealer factored, assigned or otherwise transferred the right to receive payments on a seller-financed sale. The law requiring payment of the balance of the *Motor Vehicle Sales* tax due on the transaction would not apply to a dealer who sold a purchaser's account to a person registered with the Comptroller as a related finance company. The Comptroller could charge a fee for this registration. The bill took effect July 1, 2007, and had estimated losses to General Revenue of \$3.9 million in the 2008-09 biennium.

### 2009: The 81st Legislature, Regular Session

The national economy fell into recession at the end of calendar 2007, early in the 2008-09 biennium. When the Comptroller presented the Governor and Legislature with the *Biennial Revenue Estimate* for 2010-11 in January 2009, the recession was in its second year but contemporary economic statistics had not yet made the recession's full effects on the Texas economy evident. That session's revenue estimate assumed the state's economy would substantially weaken, but not fall into recession, and the state would have a \$2.1 billion ending balance in 2008-09. The revenue estimate projected the state would have \$77.1 billion in funds available for general purpose spending, a decline of 9.4 percent from the \$85.1 billion certified as available for 2008-09.

Despite reduced General Revenue-related funds, the Legislature maintained a moderate spending growth rate in the 2010-11 biennium with the assistance of federal stimulus funds provided to state and local governments through the American Recovery and Reinvestment Act of 2009. With major revenue-raising measures not required, there were few bills with significant fiscal impact in the biennium.

**HB 469** provided tax incentives to organizations that participate in the research and development of certain qualified clean energy projects. For each qualifying project a *Franchise* tax credit could be issued for the lesser of 10 percent of specified costs associated with the construction of a project or \$100 million dollars. These clean energy projects would be required to have a capacity of at least 200 megawatts, meet the emissions profile for an advanced clean energy project, capture at least 70 percent of the carbon

dioxide associated with the generation of electricity by the facility, be capable of sequestering this carbon dioxide in a geologic formation, and be capable of supplying the carbon dioxide captured for purposes of an enhanced oil recovery project.

**HB 469** also extended the reduced tax rate for the *Oil Production* tax from seven to 30 years for qualifying enhanced oil recovery projects using carbon dioxide captured from anthropogenic sources in this state such as a clean energy project. The Bill provided certain *Sales and Use* tax exemptions for tangible personal property used in connection with a clean energy project and created property tax abatement provisions for advanced clean energy projects located in county reinvestment zones. The bill took effect September 1, 2009, and the fiscal impact could not be determined.

**HB 1796** extended the expiration dates of the surcharges supporting the Texas Emissions Reduction Plan (TERP) Fund by six years, to August 31, 2019. These surcharges included the *Sales and Use* tax surcharge of 2 percent on off-road heavy duty diesel powered construction equipment; the *Motor Vehicle Sales and Use* tax surcharges of 1 percent or 2.5 percent (depending on the age of a vehicle) of certain on-road diesel powered trucks; the *Motor Vehicle Registration* fee surcharge of 10 percent on truck-tractors or commercial motor vehicles; and the *Motor Vehicle Inspection* fee surcharge of \$10 on commercial motor vehicles. The bill extended by four years, to August 31, 2019, the *Motor Vehicle Certificate of Title* surcharge (an additional \$20 or \$15 depending on the county of residence) that was set to become a single surcharge of \$15, and extended the revenue dedication structure between TERP and the Texas Mobility Fund. The bill took effect September 1, 2009, and these provisions of the bill had no fiscal impact in the 2010-11 biennium.

**HB 1801** expanded the list of items qualifying for exemption from state and local *Sales and Use* taxes during the annual sales tax holiday in August to include "school supplies," as that term is defined in the Streamlined *Sales and Use* Tax Agreement, that are priced at less than \$100 and are purchased for use by a student in an elementary or secondary school. The bill took effect July 1, 2009, and

reduced General Revenue by \$1.9 million in fiscal 2009 and by \$14.6 million in the 2010-11 biennium.

**HB 2154** changed the taxation method for the non-cigar component of the *Cigar and Tobacco Products* tax, which affected the taxation of products such as snuff, chewing tobacco, pipe tobacco and roll-your-own cigarette tobacco. The tax for those products changed from one based on the product's wholesale value to a tax based on the product's weight. The bill took effect September 1, 2009, and in the 2010-11 biennium allocated \$21.7 million to the new Physician Education Loan Repayment Account, and due to provisions in HB 4765 (see below) increased General Revenue by \$83.0 million. Allocations from this tax to the Property Tax Relief Fund would not change.

**HB 2582** exempted renewable diesel from the *Diesel Fuel* tax, and added renewable diesel to the Fuel Ethanol and Biodiesel Production Incentive Program. The bill took effect June 19, 2009, and the fiscal impact could not be determined.

**HB 2654** limited the use of the \$10 gift tax to motor vehicle transfers from a person to a spouse, parent, step-parent, grandparent, child, stepchild, sibling, grandchild, guardian, an estate or a not-for-profit organization. Otherwise the *Motor Vehicle Sales and Use* tax would apply. The bill took effect September 1, 2009, and increased General Revenue by \$26 million in the 2010-11 biennium.

**HB 2730** included minor provisions affecting *Motor Vehicle Drivers License* fees and Driver Responsibility Program (DRP) surcharges. The bill took effect September 1, 2009. The fiscal impact from the Driver License fees could not be determined, and the DRP surcharge fiscal impacts will occur after the 2010-11 biennium.

**HB 2774** made the Texas Department of Banking, Office of Consumer Credit Commissioner, Department of Savings and Mortgage Lending, and the Credit Union Department self-directed and semi-independent agencies and required all revenue collected by these agencies be deposited with the Texas Treasury Safekeeping Trust Company. The bill required that any amounts in Mortgage Broker Recovery Fund over \$3.5 million be available for the Texas Finance Commission to use toward offsetting the cost of participating in the Nationwide Mortgage Licensing System

and Registry. The bill took effect September 1st, 2009, and would have no General Revenue-related fiscal impact.

**HB 3433** allowed certain registered owners of a fleet of commercial nonapportioned vehicles to apply for license plates, permanent decals and registration cards for a period of one to eight years for each vehicle. Each eligible vehicle would be assessed an annual fleet management fee of \$10, a one-time license plate manufacturing fee of \$1.50 for each set of plates, or \$8 for each set of plates if a name or logo of the business entity was included. These fees, along with all normal registration fees, would be paid in advance for each vehicle for each year of registration requested. The bill was effective September 1, 2009. The State Highway Fund gained \$153.3 million during the 2010-11 biennium, and county road and bridge funds gained \$65.5 million.

**HB 4409** eliminated *Insurance Premium* tax credits for all Texas Windstorm Insurance Association (TWIA) assessments made after the bill's effective date of June 19, 2009. The unpredictability of any future windstorm damage made it impossible to determine the fiscal impact; to the extent that future assessments would no longer result in reduced collection of *Insurance Premium* taxes, the impact would be positive.

**HB 4765** provided that for *Franchise* tax reports due in 2010 and 2011, a business with total revenue of \$1 million or less would owe no tax. Prior to the change the total revenue amount at which a business owed no tax was \$300,000. For *Franchise* tax reports due in 2012 or later the total revenue amount for the no-tax-due provision would be \$600,000. The bill took effect January 1, 2010, and reduced General Revenue by \$172 million in the 2010-11 biennium.

In addition, **HB 4765** amended the revenue allocations from the *Cigar and Tobacco Products* tax, as amended by HB 2154 (see above), in order to fund the estimated fiscal impacts of HB 4765.

**SB 254** exempted volunteer fire departments from the *Gasoline* tax and *Diesel Fuel* tax. The bill took effect July 1, 2009, and reduced General Revenue by about \$100,000 in fiscal 2009 and \$1.4 million in the 2010-11 biennium, and reduced State Highway Fund revenue by \$200,000 in fiscal 2009 and \$4.4 million in the 2010-11 biennium.



**SB 711** created a winery festival permit that authorizes the permit's holder to sell wine at a civic or wine festival, farmers' market, celebration or similar event. The permit holder could not offer wine for sale for more than five days in a 30-day period or on more than three consecutive days in one location. Only winery permit holders can apply for a winery festival permit. The bill took effect September 1, 2009, and increased General Revenue by \$143,000 in the 2010-11 biennium.

**SB 958** created a *Sales and Use* tax exemption for aircraft purchased for agricultural uses. An aircraft is considered to be used exclusively for agricultural purposes if at least 95 percent of the use is for agricultural activities. Repairs, remodeling and maintenance services for an exempt aircraft would also be exempt. The bill took effect September 1, 2009, and reduced General Revenue by \$1 million in the 2010-11 biennium.

**SB 1655** directed the Texas Lottery Commission to create and operate a new instant ticket lottery game no later than March 2, 2010, with the new game's net revenue deposited to the Fund for Veterans' Assistance. The bill took effect June 19, 2009, and was estimated to increase General Revenue-related funds by \$14.9 million in the 2010-11 biennium.

## 2011: The 82nd Legislature, Regular Session

When the 82nd Legislature convened in January 2011 the national recession had ended a year and a half earlier, but the economy remained weak and there was reasonable concern recession conditions could return. The Texas economy, while better than most of the country, was not performing at pre-recession levels. The Comptroller's 2012-13 *Biennial Revenue Estimate* reflected this economic uncertainty, indicating available revenue collections during the 2012-13 biennium would be \$72.2 billion, \$2.2 billion less than estimated collections in the 2010-11 biennium. In addition, the Comptroller estimated a negative \$4.3 billion 2010-11 General Revenue-related ending balance.

The 82nd Legislature responded by reducing spending and using Economic Stabilization Fund revenue to close the fiscal 2011 shortfall. For the 2012-13 biennium, the Legislature made further spending cuts, underfunded the

Medicaid program, made spending for certain items contingent on improved revenue collections, and approved several short-term revenue-raising provisions. During the session, the Comptroller increased the fiscal 2011 sales tax revenue estimate by \$300 million, and near the session's end the Comptroller raised the General Revenue-related revenue estimate for the 2012-13 biennium by \$1.2 billion.

**HB 1**, the General Appropriations Act, directed the Comptroller to conduct a limited-duration tax amnesty program to encourage voluntary tax reporting by businesses, with all applicable penalties and interest to be waived. The two month amnesty program during the summer 2012 increased General Revenue-related funds by \$75 million in the 2012-13 biennium.

**HB 1541** increased the Automobile Burglary and Theft Prevention Authority fee from \$1 to \$2 per motor vehicle year. The Authority would receive 50 percent of the new fee with the remainder to General Revenue. The bill took effect September 1, 2011, and increased General Revenue by \$37 million in the 2012-13 biennium.

**HB 2048** directed municipalities and counties to notify the Comptroller when an audit determines a hotel failed to collect or pay state *Hotel Occupancy* taxes. If that audit results in collection of delinquent state hotel taxes, the Comptroller will pay the local government an amount equal to 20 percent of the delinquent tax collected, not including penalty, interest or amounts paid under protest. The bill took effect September 1, 2011, but the fiscal impact for the state and local government could not be estimated.

**HB 2694** reauthorized the petroleum product delivery fee on petroleum products withdrawn from a bulk facility and delivered into a cargo tank or barge, or imported into Texas, that was set to expire on August 31, 2011. The bill required the Texas Commission on Environmental Quality to set the fee at an amount necessary to cover program costs. The bill became effective September 1, 2011, and increased General Revenue by \$3.3 million in the 2012-13 biennium.

**SB 776** revised the requirements Texas licensed customs brokers must follow when issuing proof of export documentation a purchaser can use to obtain a refund of *Sales and Use* tax. The bill increased the charge for each export stamp from \$1.60 to \$2.10 and required \$0.50 of the charge



be used only for enforcing the laws relating to customs brokers. The bill took effect September 1, 2011, and increased General Revenue by \$2.9 million in the 2012-13 biennium.

## 2011: The 82nd Legislature, First Called Session

The Legislature passed **SB 1** a fiscal management bill with numerous articles affecting state revenue sources.

Article 2 (effective September 28, 2011) amended insurance premium tax credits for examination fees and overhead assessments paid directly to the Texas Department of Insurance by certain insurers. Tax credits for payment of these expenses were disallowed for fees paid during calendar 2012 and 2013 and were reflected on the tax reports due in March 2013 and 2014, respectively. The disallowance of these credits was repealed on January 1, 2014, restoring taxpayers' ability to claim premium tax credits for those fees. The article would increase General Revenue funds in fiscal 2013 by \$7.2 million.

Article 3 (effective October 1, 2011) repealed refunds of state sales or franchise taxes paid to certain school property taxpayers in reinvestment zones. The fiscal impact of the repeal in fiscal 2013, and each year thereafter, would be a General Revenue gain of \$6.7 million and a Property Tax Relief Fund gain of \$3.3 million.

Article 9 (effective October 1, 2011) required the remittance in August 2013 of a 25 percent prepayment of gasoline or diesel fuel tax normally due in September 2013. Taxpayers who submit the prepayment could take an equivalent credit on their report due in September 2013. In addition, the Comptroller would delay the July and August 2013 allocations for motor fuels from the General Revenue Fund to the State Highway Fund until September 2013. The article would increase General Revenue in fiscal 2013 by \$477.9 million, and reduce fiscal 2014 revenue by the same amount.

Article 10 (effective September 28, 2011) required businesses paying *Alcoholic Beverage* taxes — the *Mixed Beverage* tax; the excise taxes on beer, liquor, wine and ale; and the *Airline and Passenger Train Beverage* taxes — to make a 25 percent prepayment in August 2013 of tax normally due in September 2013. Taxpayers who submit the prepayment could take an equivalent credit on their report

due in September 2013. The article would increase General Revenue in fiscal 2013 by \$17.6 million, and reduce fiscal 2014 revenue by the same amount.

Article 11 (effective October 1, 2011) lowered the cigarette distributor stamping allowance to 2.5 percent, from 3 percent, of the face value of *Cigarette* tax stamps purchased. The article would increase General Revenue by \$3.9 million, and Property Tax Relief Fund revenue by \$7.2 million, in the 2012-13 biennium.

Article 13 (effective September 28, 2011) required all *Sales and Use* taxpayers who file monthly tax reports in August 2013 and who pay the tax due that month by electronic funds transfer to submit a 25 percent prepayment of tax normally due in September 2013. Taxpayers who submit the prepayment could take an equivalent credit on their report due in September 2013. Taxpayers who normally prepay this tax were not affected. The article would increase General Revenue in fiscal 2013 by \$231.2 million, and reduce fiscal 2014 revenue by the same amount.

Article 14 (effective October 1, 2011) assessed a \$50 penalty when certain tax reports are filed late, regardless of whether the taxpayer subsequently files the report or whether any taxes or fees were due for the reporting period. Taxes affected by the article include *Sales and Use* tax; *Fireworks* tax; *Franchise* tax; *Hotel Occupancy* tax; *Mixed Beverage* tax; *Motor Fuels* tax; *Motor Vehicle Rental* tax; *Motor Vehicle Seller Financed Sales* tax; and the surcharge for off-road, heavy-duty diesel equipment. The penalty also would apply to the *9-1-1 Prepaid Wireless Emergency Service* fee. The article imposed a 5 percent penalty on *Mixed Beverage* taxpayers and *9-1-1 Prepaid Wireless Emergency Service Fee Payers* for failing to timely pay tax due or to timely file required reports. The article would increase General Revenue by \$13.2 million in the 2012-13 biennium.

Article 31 (effective September 28, 2011) extended the expiration date for the carryforward of unused job creation credits and capital investment credits from December 31, 2012 to December 31, 2016. The article would reduce Property Tax Relief Fund revenue by \$6.8 million in fiscal 2013.

Article 37 (effective September 28, 2011) amended the *Franchise* tax to extend the \$1 million no-tax-due threshold that was to expire December 31, 2011 to December 31,

2013. Beginning 2014, a \$600,000 no-tax-due threshold would take effect. Under existing law, threshold amounts are adjusted on January 1 of each even-numbered year based on changes in the U.S. Consumer Price Index. The article would reduce Property Tax Relief Fund revenue by \$149.9 million in the 2012-13 biennium.

Article 45 (effective January 1, 2012) amended the *Franchise* tax to allow certain qualified live event promotion companies and courier and logistics companies to exclude certain payments from their total revenue, and excluded certain unincorporated political committees from taxation. The article reduced Property Tax Relief Fund revenue by \$2.4 million in the 2012-13 biennium.

Article 51 (effective January 1, 2012) amended the *Franchise* tax to revise the definition of “retail trade” to include certain apparel rental activities, and entities primarily engaged in those activities to use the 0.5 percent tax rate. The article would reduce Property Tax Relief Fund revenue by \$200,000 in the 2012-13 biennium.

### 2013: The 83rd Legislature, Regular Session

The Comptroller’s 2014-15 *Biennial Revenue Estimate* for the 83rd Legislature reflected a more vigorous state economy than had been previously forecast. Better than expected 2012-13 revenue collections due to a rebounding state and national economy and a robust crude oil and natural gas industry increased the 2014-15 beginning balance available for general purpose spending from \$2.6 billion to \$8.8 billion. In addition to the higher beginning balance, the Comptroller estimated growing General Revenue-related collections would carry into the 2014-15 biennium with a forecast of \$96.2 billion. In total, legislators had \$101.4 billion after subtracting the \$3.6 billion reserved for the Economic Stabilization Fund. This was 12.4 percent more revenue available for general purpose spending than the previous legislature.

Major topics, other than general appropriations, addressed by the 83rd Legislature included funding of additional water resources (\$2 billion), transportation funding (\$1.38 billion) and net tax relief in excess of \$850 million. After certification of appropriations and tax relief, the

Comptroller estimated the state would carry a \$2.6 billion positive cash balance beyond 2014-15.

**HB 7** required the Comptroller to assess and collect, from property and casualty insurers, the lesser of the amount appropriated from the Volunteer Fire Department Assistance Fund, or \$30 million. The bill became effective June 14, 2013, and increased General Revenue by \$37.8 million for the 2014-15 biennium.

**HB 78** removed the minimum purchase threshold requirement, previously set at \$1,000 per single transaction, for exemption on the sale of all gold, silver or numismatic coins; or of platinum, gold or silver bullion. The bill became effective October 1, 2013, and reduced General Revenue by \$0.4 million for the 2014-15 biennium.

**HB 500** provided that a taxable entity with total revenue of no more than \$1 million for a report period would continue to have no *Franchise* tax liability for that period. The bill allowed taxable entities the option of determining margin as total revenue less \$1 million. HB 500 permitted auto repair services and certain rental activities to calculate *Franchise* tax liability using a tax rate of 0.5 percent. The bill provided, for non-EZ filers, a temporary franchise tax rate reduction of 2.5 percent in fiscal 2014 and a certification estimate-contingent 5 percent in fiscal 2015. The bill changed the method for apportioning margin for taxable entities engaged in internet hosting or broadcasting. HB 500 provided a deduction from apportioned margin for moving expenses to taxable entities that relocate. The bill allowed transferable *Franchise* tax credits for rehabilitation of historic structures. The bill, becoming effective beginning in fiscal 2014, reduced revenue to the Property Tax Relief Fund by \$482 million for the 2014-15 biennium.

**HB 800** created an optional *Sales and Use* tax exemption for the purchase, lease or rental of depreciable tangible personal property purchased by a person for direct use in qualified research, as defined in Internal Revenue Code (IRC) Section 41. Alternatively, the bill allowed persons engaged in qualified research conducted in Texas to claim a credit for *Franchise* tax instead of the *Sales and Use* tax exemption. Persons wishing to claim the sales tax exemption would be required to file an annual information report with the Comptroller. The bill provided an increased amount of

*Franchise* tax credit for taxable entities that contract with public or private institutions of higher education for the performance of qualified research. The bill became effective January 1, 2014, and reduced General Revenue by \$213.8 million and Property Tax Relief Fund by \$86 million for the 2014-15 biennium.

**HB 1047** exempted from the *Insurance Premium* tax any premium or service fees retained by a bail bond surety or by a property and casualty agent in connection with the execution or delivery of a bail bond. The bill became effective September 1, 2013, and reduced General Revenue by an indeterminate amount for the 2014-15 biennium.

**HB 1133** allowed cable, internet and telecommunications providers to claim a refund for state *Sales and Use* taxes paid on the purchase, lease or rental of tangible personal property directly used in the distribution of cable television service internet access, or telecommunications services. The bill prohibited a claim for refund on property used or consumed in providing data processing or information services. HB 1133 excluded *Sales and Use* taxes imposed by local jurisdictions from the refund program. The bill restricted providers who claim the sales and use tax refund from claiming special property tax benefits for economic development on that same tangible personal property. The legislation capped the total amount available for refund to all claimants at \$50 million per calendar year. HB 1133 provided each eligible provider with a pro rata share of the \$50 million if the total of all qualifying refunds exceeded the annual cap. The bill became effective September 1, 2013, and reduced General Revenue by \$100 million for the 2014-15 biennium.

**HB 1223** exempted certain items used to operate a qualifying data center from state *Sales and Use* tax, for 10 to 15 years following the date of certification, depending on the amount of capital investment made in the center by the owner, operator or occupant. The exemptions require a capital investment of \$200 million or more over a five-year period from the date of certification and creation of at least 20 permanent, full-time qualifying jobs. This bill does not apply to the data centers with agreements to limit property tax appraised values. The bill became effective September

1, 2013, and reduced General Revenue by \$14.6 million for the 2014-15 biennium.

**HB 1712** exempted from *Sales and Use* tax tangible personal property that is used, or intended to be used solely in an offshore spill response containment system. The bill also exempted services performed on qualifying properties from *Sales and Use* tax. The bill became effective June 14, 2013, and had no significant fiscal effect for the 2014-15 biennium.

**HB 2148** required licensed dealers to collect a \$0.15 per gallon tax on compressed natural gas (CNG) and liquefied natural gas (LNG) at the time of sale. The bill cancelled, effective Aug. 31, 2013, all prepaid liquefied gas decals currently issued to motor vehicles that operate using CNG or LNG and required refunds to decal holders for the unused portion of the decal. The bill required transit authorities that do not maintain a private CNG or LNG storage facility to pay the tax on each gallon delivered into the transit vehicles. HB 2148 allowed transit authorities with a CNG or LNG refueling facility the option to prepay the CNG and LNG tax for each transit vehicle annually by way of a decal or remit tax on each gallon of CNG or LNG delivered into their vehicles.

The bill allowed qualified transit companies that paid tax on the purchase of CNG or LNG to request a refund of \$0.01 per gasoline gallon equivalent of CNG or diesel gallon equivalent of LNG used in transit vehicles. The bill became effective September 1, 2013, and reduced General Revenue by \$140,000 and \$210,000 for State Highway for the 2014-15 biennium.

**HB 2451** adjusted *Franchise* tax reporting to allow the deduction of the cost of labor, equipment, fuel and materials from total revenue for agricultural aircraft operations. The bill became effective January 1, 2014, and reduced revenue to the Property Tax Relief Fund by \$300,000 for the 2014-15 biennium.

**HB 2913** allowed certain revocable trusts to qualify for the \$10 *Motor Vehicle Sales and Use* gift tax when such trust is the donor or recipient of the motor vehicle. The bill became effective September 1, 2013, and had no significant fiscal effect for the 2014-15 biennium.

**HB 2972** exempted premiums on policies that insure risks or exposures under ocean marine insurance coverage

of stored or in-transit baled cotton for export. The bill became effective January 1, 2014, and reduced General Revenue by an indeterminate amount for the 2014-15 biennium.

**HB 3086** provided an option to collect and remit the \$0.20 per gallon *Diesel Fuel* tax on biodiesel, renewable diesel and on the volume of water, fuel ethanol, biodiesel and renewable diesel blended with petroleum diesel for first sellers who are licensed suppliers, permissive suppliers, distributors, blenders or importers. The bill reduced reporting requirements for invoice, storage tank and pump labeling requirements outlined in Comptroller Rule 3.443 for the first seller, blender or importer who elects to use this option. The statute prohibited *Diesel Fuel* tax exemptions on a subsequent sale, and a license holder or other purchaser is not entitled to a refund or credit that subsequent sale. The bill became effective September 1, 2013, and increased General Revenue by \$11.5 million for the 2014-15 biennium.

**HB 3536** imposed a new inflation-indexed fee on cigarettes and cigarette tobacco products manufactured by companies who did not originally participate in the Master Settlement Agreement or Texas Comprehensive Settlement Agreement. The bill allowed an additional 0.5 percent cigarette stamping allowance to distributors for remitting and reporting the new fee (a total of 3 percent of all cigarette stamps purchased when included with the standard 2.5 percent stamping allowance). The bill became effective September 1, 2013, and increased General Revenue by an indeterminate amount for the 2014-15 biennium.

**HB 3572** lowered the *Mixed Beverage Gross Receipts* tax rate from 14 percent to 6.7 percent and imposed an 8.25 percent *Mixed Beverage Sales* tax. The bill became effective January 1, 2014, and had no effect on state revenue for the 2014-15 biennium.

**SB 485** set a new standard formula for determining the dates of the annual Sales Tax Holiday for clothing, footwear, backpacks and school supplies. The bill became effective June 14, 2013, and had no effect on state revenue for the 2014-15 biennium.

**SB 516** and **SB 517** created a Brewer's Self-Distribution Permit (SB 516) and a Manufacturer's Self-Distribution License (SB 517) and allowed the new permitted and licensed brewers and manufacturers to sell craft ale and beer

to retailers. The bills require a \$250 fee for a brewer permit or manufacturers license. The bill became effective September 1, 2013, and had no significant effect on state revenue for the 2014-15 biennium.

**SB 559** became effective June 14, 2013, and repealed a requirement for early payment in August 2013 by certain *Sales and Use* taxpayers, *Mixed Beverage* taxpayers and *Fuels* taxpayers. The early payment requirement was enacted in the 82nd Legislative Session.

**SB 734** allowed captive insurers to obtain a certificate of authority from the Texas Department of Insurance (TDI) and established 0.5 percent as the licensed captive premium tax rate with a minimum premium tax of \$7,500 and a maximum *Premium* tax of \$200,000. The bill imposed the premium tax on all premium receipts for insurance written by the captive, regardless of the location of the risk, and allowed a *Premium* tax credit for examination expenses paid to TDI during the calendar year for which the tax is due. The bill also imposed the *Maintenance* tax on licensed captive insurer based on the location of the risks in Texas, as applicable to the individual lines of business written. The bill exempted captives from payment of the Office of Public Insurance Counsel (OPIC) assessment. The bill allowed nonadmitted captives to continue writing coverage for their parent and affiliated companies at a 4.85 percent *Premium* tax rate. The bill became effective June 14, 2013, and reduced General Revenue by \$3.1 million for the 2014-15 biennium.

**SB 748** allowed Fort Worth or another qualified city to create project financing zones to fund a convention center facility, multipurpose arena or venue and related infrastructure, by receiving the incremental increase from state and local *Sales and Use* tax, *Hotel and Mixed Beverage* tax revenue from for a period of up to 30 years. This includes revenue from hotels that are built after the zone is designated, but not from an existing convention center hotel. The bill became effective September 1, 2013, and reduced General Revenue by an indeterminate amount for the 2014-15 biennium.

**SB 905** authorized the holder of a distiller's and rectifier's permit to sell distilled spirits to customers for on-premises and off-premises consumption. The bill assessed *Sales* tax on sales of distilled spirits for off-premises consumption

and *Mixed Beverage* tax on sales of distilled spirits, including sampling fees, at the distillery. The legislation restricted annual sales of distilled spirits to no more than 3,000 gallons for consumption on the premises and 3,500 gallons for consumption off the premises. The bill became effective September 1, 2013, and increased General Revenue by an indeterminate amount for the 2014-15 biennium.

**SB 1151** exempted snack foods from *Sales and Use* tax, unless they are sold through a vending machine or in individual-sized portions.

The bill became effective September 1, 2013, and had no significant effect on state revenue for the 2014-15 biennium.

## 83rd Legislature, Third Called Session

The Legislature passed **SJR 1**, a resolution amending the Texas Constitution. The resolution directed up to one-half of the funds previously deposited to the Economic Stabilization Fund—revenue associated with *Crude Oil* and *Natural Gas* severance taxes—to Fund 6, the State Highway Fund. These redirected funds are for the construction and maintenance of public roadways, other than toll roads. **SJR 1** was approved by Texas voters on Nov. 4, 2014.

## 84th Legislature, Regular Session

The Comptroller's 2016-17 Biennial Revenue Estimate, released in January 2015, presented a forecast of a Texas economy and state revenue system continuing to expand but at a reduced pace following a rapid rebound from the Great Recession. While not matching the feverish pace of revenue growth seen in 2012-13, collections were nevertheless strong in the following 2014-15 biennium, leading to an amount of General Revenue available for general-purpose spending remaining at the end of the 2014-15 biennium—and available for spending in 2016-17—estimated to be \$7.5 billion. Reflecting a continuing moderation of economic conditions (including a large drop in the price of oil) and after required set-asides for transfer to the Rainy Day Fund, 2016-17 net revenue was forecast to be \$105.4 billion. Adding the \$7.5 billion remaining from 2014-15 to net revenues yielded a

total amount available for general-purpose spending by the 84th Legislature of \$113.0 billion.

Beyond general appropriations, legislative actions on the fiscal front notably included measures addressing the continuing need for enhanced transportation funding (see **SJR 5**) as well as tax relief. This session, tax relief took two primary forms: an increase in the homestead exemption allowed to local property taxpayers and (as detailed below in the **HB 32** discussion) reduction of the *Franchise* tax rates. Following the close of the 84th Regular Legislative session, the Comptroller's 2016-2017 Certification Revenue Estimate projected \$4.1 billion remaining as a cash balance at the end of the 2016-17 biennium.

**HB 7** was one of several bills which focused on multiple fiscal issues. Significantly, **HB 7** repealed the additional \$200 surcharge on selected professional license fees. These fee surcharges were originally added as part of **HB 11**, 1991, 72nd Legislature (First Called). Some of the professions paying this \$200 surcharge included: dentists, engineers, accountants, architects, psychologists, and veterinarians. Physicians had their specific surcharge repealed, as well. This portion of **HB 7** was estimated to reduce General Revenue-Related funds by \$251.5 million in the 2016-17 biennium.

The bill also repealed the *Attorney Occupation* tax, an assessment originally added (like the \$200 surcharges above) by **HB 11** in 1991. The bill also reduced the Texas Emissions Reduction Plan (TERP) surcharge imposed on the sale, lease or rental of off-road, heavy-duty diesel equipment (a *Sales and Use* tax surcharge) from 2 percent to 1.5 percent. This provision, effective Sept. 1, 2015, was estimated to reduce the TERP Account by \$32.5 million in the 2016-17 biennium.

**HB 32** reduced *Franchise* tax rates, effective for reports originally due on or after Jan. 1, 2016. The bill did not amend or alter the basis upon which businesses owe tax; only the tax rates were changed. Taxable entities that were paying at the 1 percent rate will pay a rate of 0.75 percent of taxable margin for *Franchise* tax. Taxable entities primarily engaged in retail or wholesale trade will pay a franchise tax rate of 0.375 percent of taxable margin; they previously were subject to a 0.5 percent tax rate. Further, the bill



increases the revenue threshold for the EZ computation from \$10 million to \$20 million and allows a taxable entity choosing the EZ computation to pay tax at a rate of 0.331 (previously 0.575) percent.

These provisions were estimated to reduce revenue to the Property Tax Relief Fund (PTRF) by \$2,559.9 million for the 2016-17 biennium. The statutory impact would be to the PTRF, which functions to direct funding to public schools. Upon reduction of revenue to the PTRF, however, undedicated General Revenue compensates for the decrease and provides the necessary funding to the Foundation School Account for disbursement to school districts.

**HB 157** allows cities to set their *Municipal Sales and Use* tax rate at any rate that is an increment of one-eighth of 1 percent as long as the rate would not exceed the maximum 2 percent combined local tax rate provided by law.

The adoption and changes in rates of *Municipal Sales and Use* taxes must be approved by voters. The bill applies to the *Municipal Sales and Use* tax and to city sales and use taxes imposed for street maintenance, venue projects, property tax relief, economic development and crime control and prevention.

**HB 1841** excludes services performed on behalf of an insured by a person licensed under Insurance Code Chapter 4102 (public insurance adjusters) from the definition of insurance services. As a result, insurance services provided by a public insurance adjuster are not subject to *Sales and Use* tax. Effective Oct. 1, 2015. It was estimated this bill would reduce General Revenue by \$2 million during the 2016-17 biennium.

**HB 1905** was another bill enacted by the 84th Legislature which covered a number of fiscal issues. With respect to state taxation:

The bill repealed three small taxes entirely: the *Bingo Rental* tax, the *Airline/Passenger Train Beverage* tax, and the *Controlled Substances* tax.

The bill repealed the Texas motor fuels tax on *Liquefied Gas* (LG), including liquefied petroleum gas (LPG). Under the bill's provisions, liquefied and compressed natural gas, also taxed at 15 cents per gallon, remained taxable as motor fuels. All prepaid LG decals that had been issued to Texas

registered motor vehicles that operate using LG or LPG were canceled effective Aug. 31, 2015.

With regard to the *Hotel Occupancy* tax, it clarified that the term "hotel" includes a rental of all or part of a residential property to a person who is not a permanent resident.

Nonprofit entities organized for the sole purpose of exclusively providing emergency medical services (including rescue and ambulance services) were exempted from all state *Motor Fuels* taxes (i.e., gasoline, diesel fuel, compressed or liquefied natural gas). In addition, if the *Motor Fuels* tax is paid, the entity can file a refund claim with the Comptroller's office. Texas municipalities were exempted from the *Motor Fuels* tax on compressed and liquefied natural gas; if the *Motor Fuels* tax is paid, the Texas municipality can file a refund claim with the Comptroller's office. Similarly, certain transit and regional transportation authorities were exempted from the state *Motor Fuels* tax on compressed or liquefied natural gas delivered into the fuel supply tank of a motor vehicle, if such an entity had a prepaid liquefied gas tax decal on Jan. 1, 2015.

The bill amended the definition of "snack items," for the purposes of *Sales and Use* tax, to encompass items such as: all manner of breakfast or nutrition-type bars, nuts, popcorn, chips and crackers, ice cream and frozen yogurt, and many frozen juice items. Snack items sold in portions labeled as having not more than one serving or containing less than 2.5 ounces would be taxable; and food products served, prepared or sold for immediate consumption by a restaurant, lunch counter, cafeteria, deli or similar types of businesses would be taxable.

All these provisions were effective Sept. 1, 2015. **HB 1905**, in its entirety, was estimated to reduce net General Revenue-Related funds over the 2016-17 biennium by \$0.4 million.

**HB 1915** added the cities of Corpus Christi, Quintana and Surfside Beach as eligible barrier island coastal municipalities (joining the cities of Galveston, Port Aransas and South Padre Island), making them eligible to receive a 2 percent rebate of the state *Hotel Occupancy* tax collected from hotels located in these cities.

The bill also increased the state hotel tax rebate for Port Aransas from 1 percent to 2 percent. This bill was effective



Oct. 1, 2015. The reduction in General Revenue-Related funds during the 2016-17 biennial period was estimated to be \$8.2 million.

**HB 1964** amends the *Municipal Hotel Occupancy* tax to add the cities of El Paso, Frisco and Nacogdoches as eligible central municipalities. An eligible central municipality is entitled to receive a rebate of certain tax proceeds that are paid or collected by a qualified hotel project and businesses ancillary to the hotel project. Included in the rebates are state and local *Sales and Use* and *Hotel Occupancy* taxes, *Ad Valorem* tax, and local *Mixed Beverage* taxes. The cities can receive the tax rebates for 10 years after the hotel initially opens.

The bill also authorizes the cities of Odessa, Round Rock and Tyler to receive the same tax rebates that an eligible central municipality can receive for a qualified hotel project. The rebated taxes may be pledged as payment for obligations issued for the hotel project. The bill was effective May 29, 2015 and its provisions were expected to reduce General Revenue-Related funds by \$0.2 million over the two-year 2016-17 budget period; somewhat larger implications were projected in 2018 and beyond.

**HB 2313** exempted the sale of tangible personal property through a vending machine from *Sales and Use* tax if the sale is made by a 501(c)(3) nonprofit organization, the machine is owned by the nonprofit organization, and the machine is stocked and maintained by individuals with special needs as part of an independent life skills and education program operated by the nonprofit organization. The bill was effective Sept. 1, 2015 and was estimated to have no significant effect on state revenue.

**HB 2358** exempted out-of-state businesses entering Texas at the request of an in-state business, and under a mutual assistance agreement, from Texas licensing and registration requirements when their business in Texas is limited to performing disaster or emergency-related work for the repair or replacement of critical infrastructure during a disaster response period. The out-of-state business entity would not be required to register with the Secretary of State or to file or pay any state or local taxes, including *Sales and Use* and *Franchise* taxes, when performing disaster or emergency-related work during a disaster response period. Further, and with regard to *Sales and Use* tax, the bill does

not provide an exemption for taxable items sold by an out-of-state business and purchasers would be responsible for tax on any items purchased. The bill was effective June 16, 2015 and was estimated to have no significant effect on state revenue.

**HB 2400** amended the *Motor Vehicle Sales and Use* tax to exempt the sale of a new motor vehicle when the purchaser is a manufacturer or distributor (as defined) who acquires the motor vehicle to exclusively resell the vehicle, to test the vehicle on a public street or highway, or to loan it to a consumer when the consumer's vehicle is being repaired under a manufacturer's warranty. The bill was estimated to have an indeterminate effect on state revenue; effective Sept. 1, 2015.

**HB 2424** allowed an insurance company up to four years after the date an assessment payment was made to submit a request to the Automobile Burglary and Theft Prevention Authority for a refund of the Authority's theft prevention fee. The bill was effective Sept. 1, 2015 and expires Sept. 1, 2017. No significant fiscal implication to the state was expected.

**HB 2507** exempted tangible personal property sold to licensed digital audio broadcasting stations from *Sales and Use* tax, if the property is necessary to provide digital audio broadcast service which meets federal standards. The bill was effective Sept. 1, 2015 and was estimated to reduce 2016-17 General Revenue by \$0.1 million.

**HB 2712** exempted certain items necessary for operating a qualifying large data center project from *Sales and Use* tax (to a degree already exempted under Tax Code Section 151.359; enacted by 83rd Legislature). An owner, operator or occupant of a large data center (comprising at least 250,000 square feet), and meeting other standards relating to location and use, can apply to the Comptroller for certification as a qualifying large data center project.

For certification, a qualifying owner, operator or occupant must agree to make a capital investment of \$500 million or more over a five-year period; create at least 40 permanent, full-time jobs; and contract for at least 20 megawatts of transmission capacity for operating the large data center.

Owners, occupants and operators of certified data centers can claim an exemption on qualified purchases for

20 years following the date of certification. A large data center's certification can be revoked if the owner, operator or occupant fails to make the amount of capital investment or create the number of jobs required within the initial five-year time frame. If the certification is revoked, tax will be due on tax-free purchases made before the revocation.

Data centers with agreements to limit the appraised value of property for property tax under Tax Code Chapter 313 would not qualify for this exemption. This bill became effective June 10, 2015. No significant fiscal impact was expected for the first several state budget periods following the effective date, including 2016-17; some additional reduction of sales tax revenue, with respect to amounts already exempted under Tax Code Section 151.359, would occur following the 15th year after certification

**HB 2896** provided that a broadcaster (as defined) apportion to Texas, for *Franchise* tax purposes, receipts from licensing income from broadcasting or otherwise distributing film programming only when Texas is the legal domicile of the broadcaster's customer. The bill was effective for reports originally due on or after Jan. 1, 2018. As such, there was no fiscal impact expected during the 2016-17 period; a reduction in Property Tax Relief Fund revenue of approximately \$3 million annually was estimated beginning in fiscal 2018.

**HB 3230** amended the *Franchise* tax credit for eligible costs and expenses related to certified rehabilitation of certified historic structures to allow nonprofits to earn credit for eligible costs and expenses. Under current law, such credits can be sold by the earning business to another business. This bill was effective for reports originally due on or after Jan. 1, 2016 and is expected to have no significant implications to state revenue.

**SJR 5**, a resolution to amend the Texas Constitution, directed up to \$2.5 billion annually, from state *Sales and Use* tax revenue collections in excess of \$28 billion each year and beginning in fiscal 2018, be transferred to Fund 6, the State Highway Fund. In addition, the resolution directed 35 percent of the portion of each year's state *Motor Vehicle Sales and Use* and *Motor Vehicle Rental* tax revenues exceeding \$5 billion per year be transferred to the State Highway Fund. This second provision would become effective

in fiscal 2020. All transferred funds are for the construction and maintenance of public roadways, other than toll roads; or for paying the interest and principal of certain general obligation bonds sold for highway purposes by the Texas Transportation Commission. The provisions of SJR 5 expire (the motor vehicle sales and use and motor vehicle rental tax revenue provision first at the close of fiscal 2029), but may be extended by a vote of the Legislature. **SJR 5** was approved by Texas voters on Nov. 3, 2015 and became effective at the time of final election results.

**SB 31** allowed volunteer firefighter departments and volunteer firefighter departments providing emergency services that qualify to hold 10 *Sales and Use* tax-free sales or auctions during a calendar year. These qualifying organizations do not have to collect *Mixed Beverage Sales* tax on sales of alcoholic beverages during these sales or auctions, but must remit *Mixed Beverage Gross Receipts* tax. The organizations must have a temporary mixed beverage permit from the Texas Alcoholic Beverage Commission to sell mixed drinks. The bill was effective May 28, 2015; no significant fiscal impact to the state was expected.

**SB 100** removed the cap placed on capital investments for qualified enterprise projects. An enterprise project can qualify for a *Sales and Use* tax refund based on their capital investment. The bill removes the cap of \$149,999,999 placed on capital investment that results in a refund of \$2,500 per job. Enterprise projects that have capital investments of \$150,000,000 or more will receive refunds for new permanent jobs. The refund per job has been changed to capture only new permanent jobs.

The bill adds the definition of a half enterprise project and provides that the maximum sales tax refund a half enterprise project may receive is \$125,000. The bill was effective Sept. 1, 2015; no significant fiscal impact to the state was expected.

**SB 140** amends the portion of the *Sales and Use* tax statute which specifically addresses agricultural items to provide an exemption for telecommunications services exclusively provided or used for navigating machinery and equipment exclusively used on a farm or ranch for the following purposes: building or maintaining roads; building or maintaining water facilities; or producing agricultural

products to be sold in the regular course of business. The bill was effective Sept. 1, 2015 and was expected to reduce General Revenue-related funds over the 2016-17 biennium by \$0.1 million.

**SB 449** defined an “autocycle” as a motor vehicle (other than a tractor) that is: designed to have not more than three wheels on the ground when propelled, equipped with a steering wheel, equipped with seating that does not require the operator to straddle or sit astride the seat, and manufactured and certified to comply with federal safety requirements for a motorcycle. The sale of an autocycle would be subject to *Motor Vehicle Sales and Use* tax in the same manner as the sale of a street-legal motorcycle. The bill was effective May 22, 2015; no fiscal implications to the state were expected.

**SB 724** exempted from *Motor Vehicle Sales and Use* tax, the purchase of a motor vehicle operated with exempt license plates (Transportation Code, Section 502.451) and used by a public agency or a commercial transportation company to provide transportation services under a contract with one of the following: a board of county school trustees or school district board of trustees under Education Code Section 34.008; or the governing body of an open-enrollment charter school. The bill was effective June 17, 2015. It was estimated that the bill would reduce General Revenue by \$4.0 million during the 2016-17 biennium.

**SB 752** repealed Tax Code, Chapter 211: *Inheritance* taxes. This repeal did not affect any *Inheritance* tax liability accruing before Sept. 1, 2015. The bill was effective Sept. 1, 2015. With regard to fiscal implications, at the time of repeal revenue had become negligible over the preceding decade.

**SB 755** expanded, under the *Sales and Use* tax statute, the definition of “sale for resale” to include a sale of a computer program to a provider of Internet hosting services who sells a license to use the program to an unrelated user of Internet hosting services, provided that the reseller does not retain a right to use the program under that license. A sale for resale is exempt from *Sales and Use* tax. The bill was effective June 10, 2015. Estimated loss of state *Sales and Use* tax revenue was projected to be \$3.0 million during the 2016-17 biennium.

**SB 757** repealed the *Crude Oil Regulatory* tax starting with the production month of September 2015. Taxpayers

would still be required to pay the *Oil Field Cleanup* fee of \$0.00625 per barrel starting with production on or after Sept. 1, 2015. The bill also repeals the *Sulphur Production* tax, and adds language to the *Sales and Use* tax statute to retain the exemption for sulphur from that tax. Both repeals were effective Sept. 1, 2015; no net fiscal implications were expected.

**SB 761** repealed the 2 percent *Fireworks* tax that had been imposed under Tax Code, Chapter 161. Fireworks will continue to be subject to *Sales and Use* tax. The repealed tax, which provided funding to the Volunteer Fire Department Insurance Account (an account in the General Revenue Fund), will be replaced by an allocation from overall state *Sales and Use* collections in an amount equal to the amount of revenue that would be generated by a 2 percent tax on fireworks sold at retail in Texas (if such a tax were extant). The bill was effective Sept. 1, 2015. This repeal is estimated to have reduce state revenue by \$2.93 million during the 2016-17 biennium. The Volunteer Fire Department Insurance Account will be reimbursed by the aforementioned allocation of state sales tax revenue—an allocation that will reduce funds available for general-purpose spending in 2016-17 by the same \$2.93 million.

**SB 853** provided that an electronically filed sales tax permit application complies with the signature requirement under the *Sales and Use* tax portion of the Tax Code. Effective June 1, 2015.

**SB 904** added a *Sales and Use* tax exemption for certain emergency preparation items. The exemption would apply once annually for sales taking place during a three-day period beginning on the Saturday before the last Monday in April and ending on the last Monday in April. Items that qualify for the exemption include: certain portable generators, hurricane shutters, ladders, portable self-powered light sources, fuel containers, radios, batteries, smoke detectors, fire extinguishers, and first aid kits. The bill was effective Sept. 1, 2015. The reduction in General Revenue was estimated to be \$2.3 million over the 2016-17 budget period.

**SB 1049** exempted new veteran-owned businesses from *Franchise* tax for the first five years of a qualifying business’ operations. The bill defined a new veteran-owned business; provisions apply to businesses formed on or after Jan. 1, 2016 and before Jan. 1, 2020. The bill was effective

Jan. 1, 2016; it was expected to result in a reduction of revenue to the Property Tax Relief Fund of \$0.5 million over 2016-17 and losses of between \$1 and \$2 million in each of the next several years.

**SB 1356** provides a *Sales and Use* tax exemption for certain water-conserving products and for products with a “WaterSense” label from the U.S. Environmental Protection Agency. This exemption would be in force for a limited number of days annually, specifically a three-day period coinciding with the Memorial Day weekend. The bill was effective Oct. 1, 2015 and was expected to reduce General Revenue over the 2016-17 biennium by \$7.7 million.

**SB 1396** amended the *Sales and Use* tax statute to make several changes to the way aircraft are taxed. The bill defined “certificated or licensed carriers” as carriers authorized under various parts of the Federal Aviation Regulations. The bill provided that the exemption for aircraft under Tax Code Section 151.328(a)(1) applies regardless of whether the aircraft is acquired by purchase, lease or rental. The bill added a unique “sale for resale” definition for purchases of aircraft. A sale for resale would now include a sale to a purchaser for the purpose of leasing, renting or reselling the aircraft to another person. The sale for resale would not have to be for the sole purpose of leasing or renting, provided that more than 50 percent of the departures are under the operational control of a lessee. Operational control would be defined by Federal Aviation Regulations.

Liability for *Sales and Use* tax on divergent use does not apply to aircraft purchased under the sale for resale exemption. Use tax does not apply to aircraft brought into

Texas for the sole purpose of being completed, repaired, remodeled or restored. There is also no presumption of taxable use when an aircraft is brought into Texas, if the aircraft was not purchased directly from a seller. The bill provides that tax is not due on certain aircraft after out-of-state use. Specifically, the bill exempts from use tax any aircraft purchased outside of the state that is predominantly used outside of Texas for more than a year before being brought into Texas. An aircraft is predominantly used outside of Texas if more than half of its departures are from locations outside of Texas.

For transactions involving aircraft, transactions between related persons are taxable or not taxable to the same extent as transactions between unrelated persons. When a person pays tax on the purchase of an aircraft, use by a related entity is not also subject to tax. Use by a related entity of a purchaser is not taxable, if tax was paid by the purchaser or, if subject to certain exceptions, the purchase was exempt. The use of an aircraft by a fractional owner of the aircraft is not a taxable transaction. The bill added Tax Code Chapter 163, *Sales and Use Taxation of Aircraft*, which serves to clarify what transactions are subject to *Sales and Use* taxation under Chapter 151, and which transactions are not. The bill was effective Sept. 1, 2015. No significant fiscal implications were expected.

**SB 1563** exempted the property, revenue and income of each nonprofit corporation created by TexAmericas Center from all taxes imposed by the state and political subdivisions of Texas. The bill was effective June 16, 2015; no fiscal implications to the state were anticipated. ☛



# SOURCES OF REVENUE

## A History of State Taxes and Fees in Texas 1972-2016

# Texas Tax and Fee Profiles Introduction

These profiles include summary information for each tax and fee discussed in a standard format. The following are brief definitions of the type of information found in the profiles.

**Rate and Base** The amount of a tax or fee and the individuals, entities, goods or services to which it applies.

*State:* The current fee or tax rate as set by the State of Texas.

*Local:* The current fee or tax rate as set by the local entity imposing it.

*Federal:* The current fee or tax rate as set by the Federal Government.

*Major Exemptions:* The individuals, entities, goods or services exempted from the fee or tax.

**Administration** Summary information on levying, collecting and processing the tax or fee.

*Agency:* State agency responsible for collecting and/or processing the fee or tax.

*Number of Fees Collected/Taxpayers:* An estimated count of recorded payers of a tax or the number of fees collected as of the publication date of this report.

*Payment Cycle:* How often a fee or tax is required to be remitted to the state.

*Due Date:* The date by which a fee or tax is required to be remitted within the payment cycle.

*Remitted by:* The entity that collects and sends the respective fee or tax to the responsible state agency.

**Legal Citation** The legal authority for the levy and collection of the fee or tax. Primarily Texas Statutes and/or the Texas Constitution.

**Enacted** The date and/or the enacting legislation the fee or tax was created by law.

**Rate & Base Changes** List of legislative actions that have significant impact to the amount of fee or tax levied.

**Allocation** A list of funds and accounts to which the fee or tax is deposited, allocated or transferred.

**Net Collection** Historical collections of the fee or tax from 1972 through the last completed fiscal year.

*Total Revenue:* Total annual fee/tax amount collected and deposited in the state treasury. A Profile with only this column heading indicates that the fee or tax has never been deposited or allocated to a trust fund in the history of that fee or tax.

*Revenue All Funds:* Total annual fee/tax amount collected and deposited in the state treasury including amounts deposited to trust and local funds. These profiles have amounts deposited to trust funds as well as other funds. These profiles will have this column and a *Revenue Excludes Trust* column.

*Revenue Excludes Trust:* Total annual fee/tax amount collected and deposited in the state treasury excluding deposits made to trust and local funds.

*Percent Change:* The growth rate of fee/tax collections from one year to the next. This rate does not include amounts deposited to trust and local funds.

*Percent of Other Revenue:* The percentage of the respective fee as a share of all state fees. This does not include amounts deposited to trust funds, local funds, or federal revenue.

*Percent of Taxes:* The percentage of the respective tax as a share of all state taxes. This does not include amounts deposited to trust funds or local funds.

**AIR POLLUTION CONTROL FEES**  
**Revenue Object 3375**

**RATE & BASE**

<i>State:</i>	Various fees and penalties to ensure that industrial construction meets federal and state pollution standards; rates range from \$25 to \$75,000
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Texas Commission on Environmental Quality
<i>No. of Fees Collected:</i>	12,436
<i>Payment Cycle:</i>	Annual fees — November 1st; permits — various dates
<i>Due Date:</i>	November 1st for annual fees; permits on various dates
<i>Remitted By:</i>	Permits: industrial entities Penalties: entities releasing unauthorized air contaminants

**LEGAL CITATION(S)**

Texas Health and Safety Code, §§ 382.05155, 382.062 and 382.0621

**ENACTED**

66th Legislature (1979) Various fees between \$50 and \$7,500

**RATE & BASE CHANGES**

69th Legislature (1985) Various fees between \$50 and \$50,000  
72nd Legislature (1991) Various fees between \$25 and \$75,000  
83rd Legislature (2013) Added greenhouse gas emission fee on expedited application surcharge

**ALLOCATION**

General Revenue Fund 0001 — greenhouse gas emission fee and expedited application surcharge  
GR Account - Operating Permit Fees 5094 — Emissions fees  
GR Account - Clean Air 0151 — All other fees

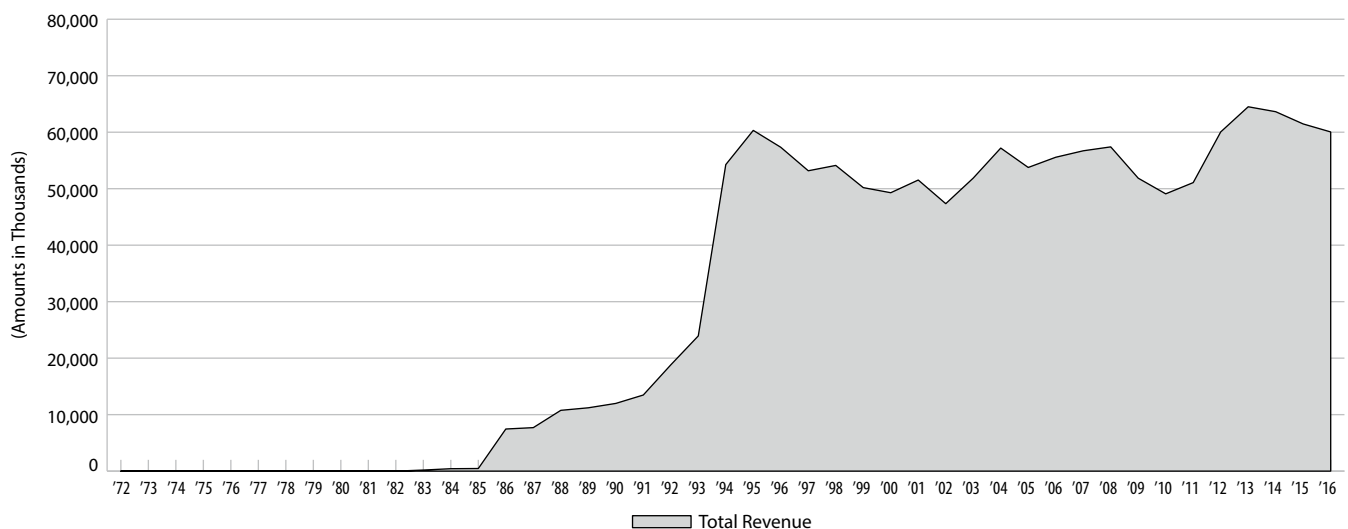


**AIR POLLUTION CONTROL FEES (concluded)**  
**Revenue Object 3375**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 0	-	0.00	2000	\$ 49,286	(1.8)	0.50
1973	0	-	0.00	2001	51,536	4.6	0.49
1974	0	-	0.00	2002	47,346	(8.1)	0.44
1975	0	-	0.00	2003	51,878	9.6	0.46
1976	0	-	0.00	2004	57,192	10.2	0.47
1977	0	-	0.00	2005	53,759	(6.0)	0.41
1978	0	-	0.00	2006	55,566	3.4	0.39
1979	0	-	0.00	2007	56,709	2.1	0.36
1980	0	-	0.00	2008	57,403	1.2	0.30
1981	0	-	0.00	2009	51,860	(9.7)	0.33
1982	0	-	0.00	2010	49,088	(5.3)	0.32
1983	190	-	0.01	2011	51,079	4.1	0.30
1984	428	125.8	0.02	2012	60,051	17.6	0.34
1985	462	8.0	0.02	2013	64,504	7.4	0.34
1986	7,455	1,513.3	0.18	2014	63,629	(1.4)	0.32
1987	7,700	3.3	0.22	2015	61,461	(3.4)	0.29
1988	10,762	39.8	0.31	2016	60,046	(2.3)	0.26
1989	11,211	4.2	0.30				
1990	11,986	6.9	0.30				
1991	13,473	12.4	0.31				
1992	18,810	39.6	0.35				
1993	23,935	27.2	0.35				
1994	54,266	126.7	0.67				
1995	60,321	11.2	0.72				
1996	57,332	(5.0)	0.63				
1997	53,173	(7.3)	0.57				
1998	54,119	1.8	0.59				
1999	50,191	(7.3)	0.48				

<sup>†</sup> No revenue deposited to trust



Source(s): Glenn Hegar, Texas Comptroller; Texas Commission on Environmental Quality

**BEER TAX**  
**Revenue Object 3258**

**RATE & BASE**

<i>State:</i>	\$6 per 31-gallon barrel
<i>Local:</i>	None
<i>Federal:</i>	\$18.00 per 31-gallon barrel
<i>Major Exemptions:</i>	Federal military facility sales

**ADMINISTRATION**

<i>Agency:</i>	Texas Alcoholic Beverage Commission
<i>Number of Taxpayers:</i>	292 (note: including brew pubs)
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	15th day of the month for the preceding month
<i>Remitted By:</i>	Beer distributors, manufacturers, and brew pubs

**LEGAL CITATION(S)**

Texas Alcoholic Beverage Code, § 203.01

**ENACTED**

44th Legislature (1935) \$1.24 per barrel

**RATE & BASE CHANGES**

51st Legislature (1950) \$1.364 per barrel (temporary)  
52nd Legislature (1951) \$1.37 per barrel  
53rd Legislature (1954) \$2 per barrel  
54th Legislature (1955) \$4.30 per barrel  
62nd Legislature (1971) \$5 per barrel  
68th Legislature (1984) \$6 per barrel (eff. 10/2/84)

**ALLOCATION**

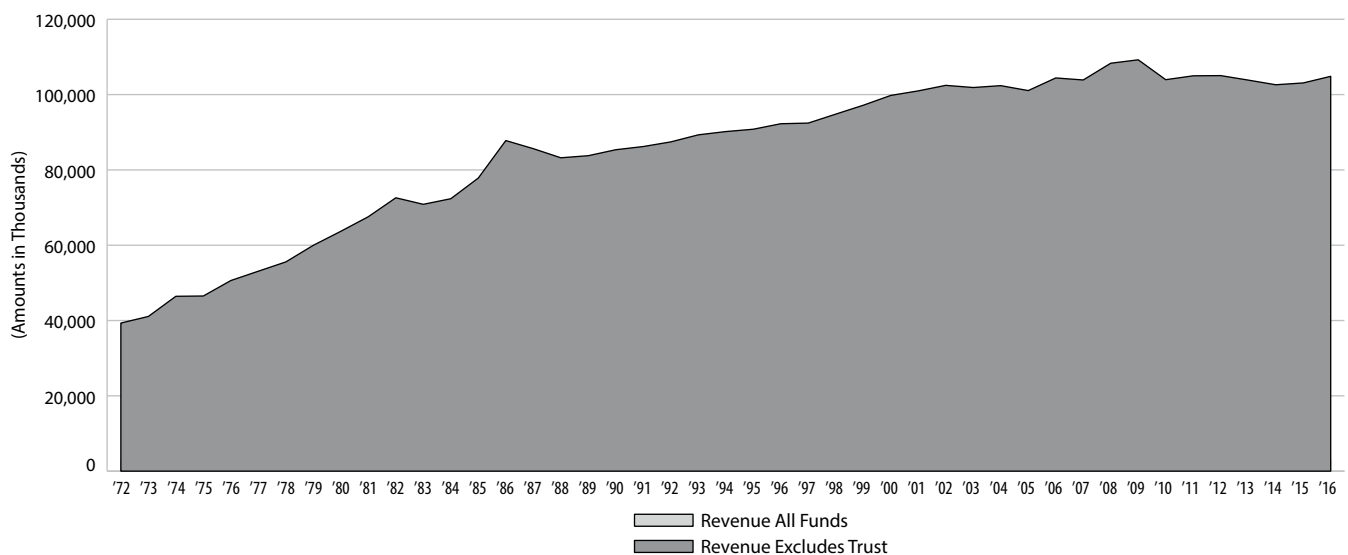
General Revenue Fund 0001 and/or certain Events Trust Funds — 100%

**BEER TAX (concluded)**  
**Revenue Object 3258**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
1972	\$ 39,329	\$ 39,329	-	1.68	2000	\$ 99,776	\$ 99,776	2.7	0.39
1973	41,083	41,083	4.5	1.59	2001	100,982	100,982	1.2	0.37
1974	46,435	46,435	13.0	1.53	2002	102,453	102,453	1.5	0.39
1975	46,514	46,514	0.2	1.38	2003	101,877	101,877	(0.6)	0.39
1976	50,620	50,620	8.8	1.29	2004	102,375	102,375	0.5	0.37
1977	53,100	53,100	4.9	1.20	2005	101,064	101,064	(1.3)	0.34
1978	55,565	55,565	4.6	1.10	2006	104,418	104,418	3.3	0.31
1979	59,976	59,976	7.9	1.11	2007	103,882	103,882	(0.5)	0.28
1980	63,697	63,697	6.2	1.00	2008	108,325	108,325	4.3	0.26
1981	67,571	67,571	6.1	0.87	2009	109,236	109,236	0.8	0.29
1982	72,595	72,595	7.4	0.84	2010	103,958	103,958	(4.8)	0.29
1983	70,862	70,862	(2.4)	0.83	2011 <sup>1</sup>	104,986	104,843	0.9	0.27
1984	72,347	72,347	2.1	0.78	2012	105,039	104,949	0.1	0.24
1985	77,842	77,842	7.6	0.73	2013	103,849	103,743	(1.1)	0.22
1986	87,790	87,790	12.8	0.86	2014	102,611	102,524	(1.2)	0.20
1987	85,641	85,641	(2.4)	0.83	2015	103,088	103,007	0.5	0.20
1988	83,219	83,219	(2.8)	0.67	2016	104,846	104,761	1.7	0.22
1989	83,773	83,773	0.7	0.65					
1990	85,356	85,356	1.9	0.63					
1991	86,207	86,207	1.0	0.58					
1992	87,438	87,438	1.4	0.55					
1993	89,309	89,309	2.1	0.53					
1994	90,178	90,178	1.0	0.50					
1995	90,802	90,802	0.7	0.48					
1996	92,259	92,259	1.6	0.47					
1997	92,433	92,433	0.2	0.44					
1998	94,812	94,812	2.6	0.42					
1999	97,167	97,167	2.5	0.41					

<sup>1</sup> Starting in 2011, the Events Trust Fund, Major Events Reimbursement Program Fund (trust), Special Events Trust Fund (repealed), and the Motor Sports and Racing Trust Fund started receiving alcoholic beverage taxes



Source(s): Glenn Hegar, Texas Comptroller; Texas Alcoholic Beverage Commission

## **BOAT AND BOAT MOTOR SALES AND USE TAX**

### **Revenue Object 3111**

#### **RATE & BASE**

<i>State:</i>	6.25% of the total consideration on every retail sale of a taxable boat or boat motor; \$15 tax for each taxable boat or boat motor brought into the state by a new resident. Tax does not apply to boats propelled by paddle or oar; also not applicable to craft in excess of 65 feet
<i>Local:</i>	None, but counties retain 5% of collections
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Sales to government, certain emergency service organizations

#### **ADMINISTRATION**

<i>Agency:</i>	Texas Parks and Wildlife Department
<i>Number of Taxpayers:</i>	104 (Texas Parks and Wildlife; 103 county tax assessor-collectors)
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	10th day of the month for the preceding month
<i>Remitted By:</i>	Texas Parks and Wildlife Department or county tax assessor-collectors

#### **LEGAL CITATION(S)**

Texas Tax Code, §§ 160.021–160.023, 160.041, 160.121

#### **ENACTED**

72nd Legislature (1991) 6.25%

#### **RATE & BASE CHANGES**

75th Legislature (1997) Base expanded to include sales of commercial boats not more than 65 feet long  
77th Legislature (2001) Certain emergency services organizations exempted from taxation

#### **ALLOCATION**

If paid to a county tax assessor-collector:  
Local county government — 5%  
General Revenue Fund 0001 — 95%  
If paid to the Texas Parks and Wildlife Department:  
GR Account - Game, Fish, and Water Safety 0009 — 5%  
General Revenue Fund 0001 — 95%

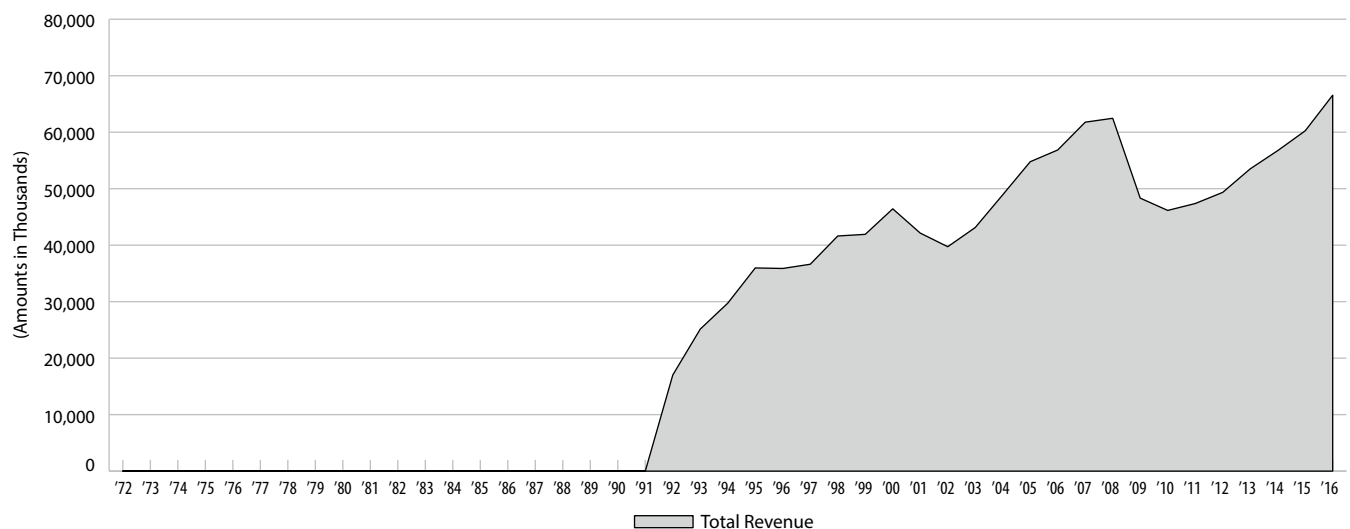
**BOAT AND BOAT MOTOR SALES AND USE TAX (concluded)**  
**Revenue Object 3111**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 0	-	0.00	2000	\$ 46,434	10.8	0.18
1973	0	-	0.00	2001	42,138	(9.3)	0.15
1974	0	-	0.00	2002	39,727	(5.7)	0.15
1975	0	-	0.00	2003	43,127	8.6	0.17
1976	0	-	0.00	2004	48,923	13.4	0.18
1977	0	-	0.00	2005	54,776	12.0	0.18
1978	0	-	0.00	2006	56,854	3.8	0.17
1979	0	-	0.00	2007	61,777	8.7	0.17
1980	0	-	0.00	2008	62,466	1.1	0.15
1981	0	-	0.00	2009	48,328	(22.6)	0.13
1982	0	-	0.00	2010	46,153	(4.5)	0.13
1983	0	-	0.00	2011	47,373	2.6	0.12
1984	0	-	0.00	2012	49,348	4.2	0.11
1985	0	-	0.00	2013	53,510	8.4	0.11
1986	0	-	0.00	2014	56,741	6.0	0.11
1987	0	-	0.00	2015	60,243	6.2	0.12
1988	0	-	0.00	2016	66,556	10.5	0.14
1989	0	-	0.00				
1990	0	-	0.00				
1991	0	-	0.00				
1992 <sup>1</sup>	17,016	-	0.11				
1993	25,149	47.8	0.15				
1994	29,738	18.2	0.16				
1995	35,970	21.0	0.19				
1996	35,879	(0.3)	0.18				
1997	36,624	2.1	0.17				
1998	41,628	13.7	0.18				
1999	41,918	0.7	0.18				

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> Before 1992, Boat and Boat Motor tax receipts were deposited under object code 3102 for the Sales and Use tax



Source(s): Glenn Hegar, Texas Comptroller

**CEMENT PRODUCTION TAX**  
**Revenue Object 3136**

**RATE & BASE**

<i>State:</i>	\$0.0275 per 100 pounds on first intrastate distribution, sale, or use of cement manufactured within or imported into the state
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	23
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	25th day of the month for the preceding month
<i>Remitted By:</i>	Manufacturer, producer, or importer

**LEGAL CITATION(S)**

Texas Tax Code, § 181.001, 181.002

**ENACTED**

42nd Legislature (1931) \$0.0125 per 100 pounds

**RATE & BASE CHANGES**

47th Legislature (1941) \$0.025 per 100 pounds  
52nd Legislature (1951) \$0.0275 per 100 pounds

**ALLOCATION**

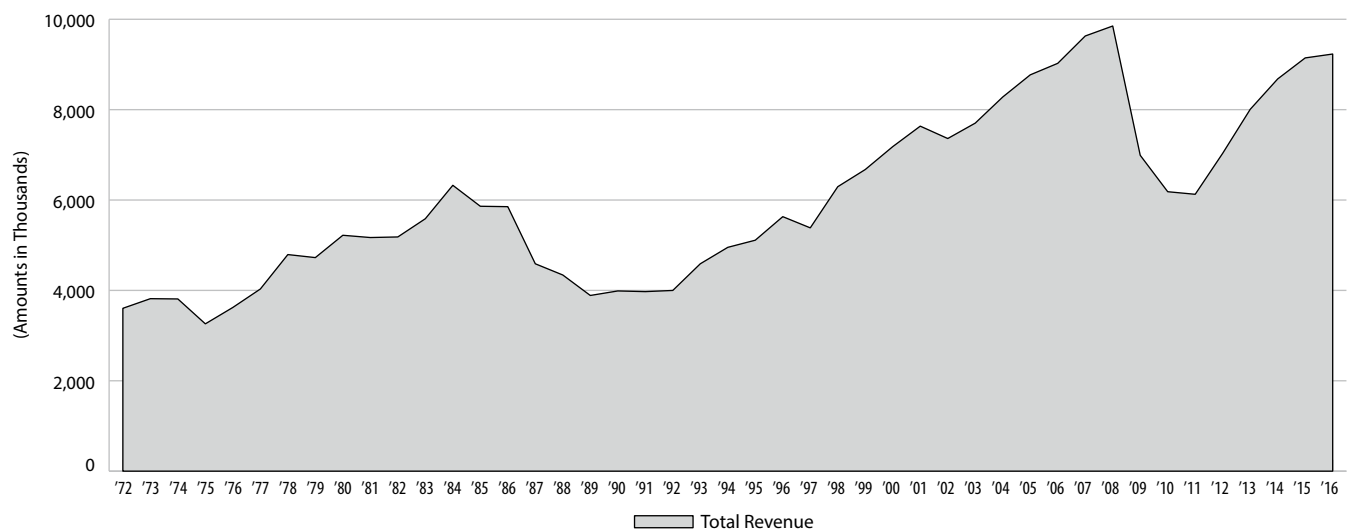
General Revenue Fund 0001 — 75%  
GR Account - Foundation School 0193 — 25%



**CEMENT PRODUCTION TAX (concluded)**  
**Revenue Object 3136**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 3,604	-	0.15	2000	\$ 7,182	7.6	0.03
1973	3,817	5.9	0.15	2001	7,635	6.3	0.03
1974	3,811	(0.1)	0.13	2002	7,361	(3.6)	0.03
1975	3,260	(14.5)	0.10	2003	7,702	4.6	0.03
1976	3,623	11.1	0.09	2004	8,280	7.5	0.03
1977	4,031	11.3	0.09	2005	8,770	5.9	0.03
1978	4,793	18.9	0.10	2006	9,025	2.9	0.03
1979	4,726	(1.4)	0.09	2007	9,630	6.7	0.03
1980	5,220	10.5	0.08	2008	9,851	2.3	0.02
1981	5,170	(0.9)	0.07	2009	6,990	(29.0)	0.02
1982	5,183	0.2	0.06	2010	6,184	(11.5)	0.02
1983	5,586	7.8	0.07	2011	6,127	(0.9)	0.02
1984	6,326	13.3	0.07	2012	7,035	14.8	0.02
1985	5,862	(7.3)	0.05	2013	8,007	13.8	0.02
1986	5,853	(0.1)	0.06	2014	8,680	8.4	0.02
1987	4,589	(21.6)	0.04	2015	9,145	5.3	0.02
1988	4,341	(5.4)	0.04	2016	9,231	0.9	0.02
1989	3,888	(10.4)	0.03	† No revenue deposited to trust			
1990	3,988	2.6	0.03				
1991	3,973	(0.4)	0.03				
1992	3,999	0.7	0.03				
1993	4,589	14.7	0.03				
1994	4,953	7.9	0.03				
1995	5,111	3.2	0.03				
1996	5,632	10.2	0.03				
1997	5,384	(4.4)	0.03				
1998	6,295	16.9	0.03				
1999	6,675	6.0	0.03				



Source(s): Glenn Hegar, Texas Comptroller

## CIGARS AND TOBACCO PRODUCTS TAX

### Revenue Object 3278

#### RATE & BASE

<i>State:</i>	Cigar rate varies with weight per 1,000, constituents and price: from 1¢ per 10 cigars for weight under 3 lbs. to \$15 per 1,000 cigars for weight over 3 lbs. Tobacco products other than cigars (snuff, chewing tobacco, pipe tobacco, roll-your-own tobacco and other): \$1.22 per ounce of manufacturer's list weight
<i>Local:</i>	None
<i>Federal:</i>	Large cigars — 52.75% of sales price, not to exceed \$402.60 per 1,000 cigars; Small cigars — \$50.33 per 1,000 cigars; Snuff — \$1.51 per pound; Chewing tobacco — \$0.5033 per pound; Pipe tobacco — \$2.8311 per pound; and Roll-your-own tobacco — \$24.78 per pound
<i>Major Exemptions:</i>	Importation with retail value at 25 cents or less; Indian tribal facility sales; federal institution sales

#### ADMINISTRATION

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	442
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	30th of month for distributors
<i>Remitted By:</i>	Cigar and tobacco wholesale distributors

#### LEGAL CITATION(S)

Texas Tax Code, §§ 155.021, 155.0211, 155.2415

#### ENACTED

(Before 1959 — taxed under the cigarette tax)

56th Legislature (1959) \$0.01 per 10 small cigars, \$7.50 per 1,000 large cigars <3.3 cents each (retail price), \$15.00 per 1,000 large cigars >3.3 cents each (retail price)

#### RATE & BASE CHANGES

60th Legislature (1967) Rate for certain large cigars reduced to \$12.00 per 1,000  
 62nd Legislature (1971) Changed 3.3 cent price threshold to factory price from retail price  
 64th Legislature (1975) Rate for certain large cigars reduced to \$11.00 per 1,000  
 65th Legislature (1977) \$11 per 1,000 rate extended to a broader range of large cigars  
 68th Legislature (1984) Removed exemption for snuff  
 70th Legislature (1987) 28.125% for tobacco products other than cigars (eff. 10/1/87)  
 71st Legislature (1990) 35.213% for tobacco products other than cigars (eff. 07/01/90)  
 79th Legislature, 3rd Called Session (2006) 40% for tobacco products other than cigars (eff. 01/01/07)  
 81st Legislature (2009) Per ounce, \$1.10 (eff. 09/01/09), \$1.13 (eff. 09/01/10), \$1.16 (eff. 09/01/11), \$1.19 (eff. 09/01/12), \$1.22 (eff. 12/01/13) for tobacco products other than cigars

#### ALLOCATION

General Revenue Fund 0001 — All tax revenue from cigars; from non-cigar tobacco products (1) tax revenues that would be generated under the previous manufacturer's list price-based method of taxation at 35.213%. In addition to cigars and (1), tax proceeds remaining (2) after the (initial) allocation to GR and the allocation to the Property Tax Relief Fund, if the Comptroller were to determine that the unencumbered beginning balance in the Physician Education Loan Repayment Account is sufficient to fund the Legislatively-mandated purposes for which the account was originally created; otherwise, the Physician Education account would receive all revenue under (2).

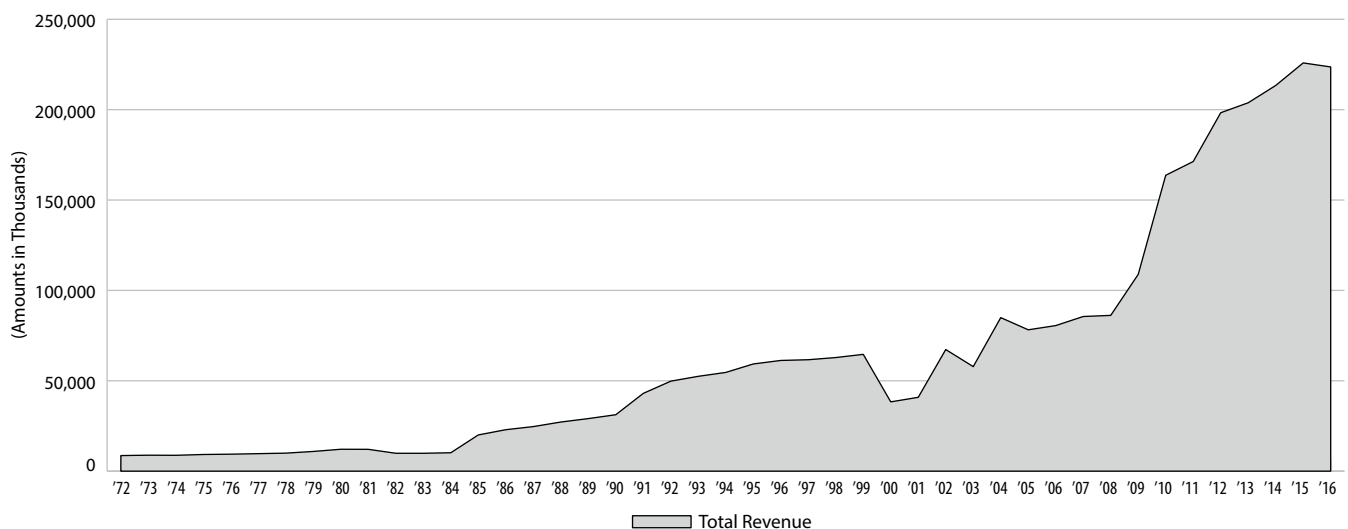
Property Tax Relief Fund 0304 — All non-cigar tax revenue that would be generated under the previous manufacturer's list price-based method of taxation at 40% less the amount (see (1) above) initially allocated to GR.

GR Account - Physician Loan Repayment Program 5144 — For non-cigar tobacco products, account would receive all of the revenue calculated in the GR section above under (2) if the Comptroller were to not make the determination described; otherwise, this account would receive no revenue under (2).

**CIGARS AND TOBACCO PRODUCTS TAX (concluded)**  
**Revenue Object 3278**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 8,622	-	0.37	2000	\$ 38,336	(40.7)	0.15
1973	8,834	2.5	0.34	2001	40,854	6.6	0.15
1974	8,772	(0.7)	0.29	2002	67,288	64.7	0.26
1975	9,220	5.1	0.27	2003	57,834	(14.0)	0.22
1976	9,396	1.9	0.24	2004	84,940	46.9	0.30
1977	9,682	3.0	0.22	2005	78,204	(7.9)	0.26
1978	9,973	3.0	0.20	2006	80,538	3.0	0.24
1979	10,904	9.3	0.20	2007	85,558	6.2	0.23
1980	12,123	11.2	0.19	2008	86,176	0.7	0.21
1981	12,073	(0.4)	0.16	2009	108,874	26.3	0.29
1982	9,891	(18.1)	0.11	2010	163,698	50.4	0.46
1983	9,890	(0.0)	0.12	2011	171,299	4.6	0.44
1984	10,186	3.0	0.11	2012	198,291	15.8	0.45
1985	20,041	96.7	0.19	2013	203,811	2.8	0.43
1986	22,938	14.5	0.22	2014	213,374	4.7	0.42
1987	24,658	7.5	0.24	2015	225,848	5.8	0.44
1988	27,177	10.2	0.22	2016	223,624	(1.0)	0.46
1989	29,080	7.0	0.23	† No revenue deposited to trust			
1990	31,221	7.4	0.23				
1991	43,032	37.8	0.29				
1992	49,788	15.7	0.31				
1993	52,468	5.4	0.31				
1994	54,623	4.1	0.30				
1995	59,299	8.6	0.31				
1996	61,247	3.3	0.31				
1997	61,649	0.7	0.29				
1998	62,853	2.0	0.28				
1999	64,620	2.8	0.27				



Source(s): Glenn Hegar, Texas Comptroller; US Treasury

**CIGARETTE TAX**  
**Revenue Object 3275 \***

**RATE & BASE**

<i>State:</i>	\$70.50 per 1,000 cigarettes weighing 3 pounds or less per 1,000 (\$1.41 per pack of 20); \$72.60 per 1,000 cigarettes weighing more than 3 pounds per 1,000 (\$1.452 per pack of 20)
<i>Local:</i>	None
<i>Federal:</i>	\$1.01 per pack of 20 small cigarettes (\$50.33 per 1,000 cigarettes); \$2.11 per pack of 20 large cigarettes (\$105.69 per 1,000 cigarettes)
<i>Major Exemptions:</i>	Importation from other states of up to 200 cigarettes for personal use; Indian tribal facility sales; federal institution sales

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	103
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	Upon receipt of tax stamps unless eligible for credit purchases; credit purchases due 30 days after receipt of tax stamps, except at the end of each biennium when tax stamp purchases made before August 31 must be paid in full by that date
<i>Remitted By:</i>	Cigarette wholesale distributors

**LEGAL CITATION(S)**

Texas Tax Code, §§ 154.021, 154.601 - 154.6035

**ENACTED**

42nd Legislature (1931) 3 cents per pack of 20 cigarettes

**RATE & BASE CHANGES**

51st Legislature (1950) 4 cents per pack  
54th Legislature (1955) 5 cents per pack  
56th Legislature (1959) 8 cents per pack  
59th Legislature (1965) 11 cents per pack  
61st Legislature (1969) 15.5 cents per pack  
62nd Legislature (1971) 18.5 cents per pack  
68th Legislature (1984) 19.5 cents per pack (eff. 10/2/84 to 8/31/85); 20.5 cents (eff. 9/1/85)  
70th Legislature (1987) 26 cents per pack (eff. 10/1/87)  
71st Legislature (1990) 41 cents per pack (eff. 7/1/90)  
79th Legislature, 3rd Called Session (2006) \$1.41 per pack (eff. 1/1/07)

**ALLOCATION**

General Revenue Fund 0001 — All tax revenues attributable to a tax rate of \$0.41 per pack  
Property Tax Relief Fund 0304 — All tax revenues attributable to the portion of the tax rate above \$0.41 per pack, regardless of weight.

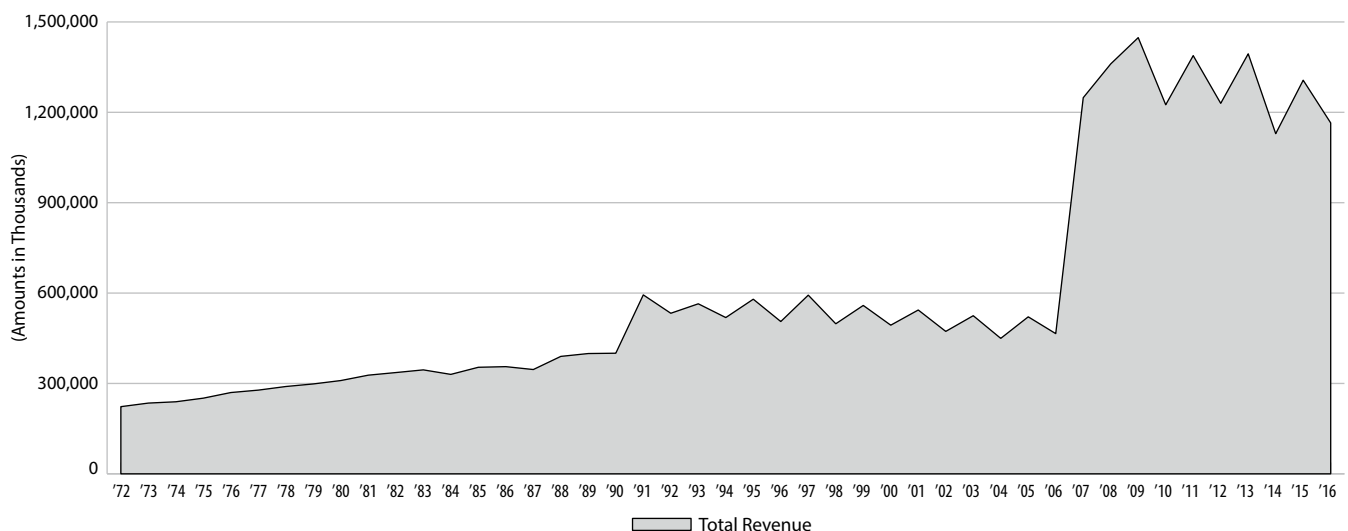
**CIGARETTE TAX (concluded)**  
**Revenue Object 3275 \***

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 222,986	-	9.51	2000	\$ 493,444	(11.7)	1.95
1973	234,833	5.3	9.09	2001	543,807	10.2	2.00
1974	239,180	1.9	7.90	2002	472,746	(13.1)	1.80
1975	251,194	5.0	7.44	2003	524,883	11.0	2.01
1976	269,832	7.4	6.89	2004	449,637	(14.3)	1.61
1977	277,867	3.0	6.29	2005	521,164	15.9	1.75
1978	289,852	4.3	5.76	2006	465,366	(10.7)	1.39
1979	298,381	2.9	5.54	2007	1,248,481	168.3	3.38
1980	309,642	3.8	4.88	2008	1,360,719	9.0	3.29
1981	327,510	5.8	4.23	2009	1,447,919	6.4	3.83
1982	336,147	2.6	3.89	2010	1,225,066	(15.4)	3.46
1983	345,074	2.7	4.06	2011	1,388,206	13.3	3.57
1984	330,085	(4.3)	3.55	2012	1,229,811	(11.4)	2.79
1985	353,681	7.1	3.30	2013	1,394,278	13.4	2.92
1986	355,777	0.6	3.48	2014	1,129,081	(19.0)	2.21
1987	346,185	(2.7)	3.37	2015	1,306,566	15.7	2.53
1988	389,822	12.6	3.15	2016	1,164,738	(10.9)	2.40
1989	399,303	2.4	3.09				
1990	400,358	0.3	2.94				
1991	593,968	48.4	3.98				
1992	533,005	(10.3)	3.36				
1993	564,367	5.9	3.32				
1994	518,714	(8.1)	2.86				
1995	579,644	11.7	3.07				
1996	505,522	(12.8)	2.56				
1997	593,121	17.3	2.80				
1998	498,070	(16.0)	2.20				
1999	558,949	12.2	2.37				

\* Revenue object code 3650 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections

† No revenue deposited to trust



Source(s): Glenn Hegar, Texas Comptroller; US Treasury

**CITY SALES TAX SERVICE FEES**  
**Revenue Object 3106**

**RATE & BASE**

<i>State:</i>	Administrative services fee of 2% of the tax collections made in those cities that impose local option sales taxes
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>No. of Fees Collected:</i>	1,150
<i>Payment Cycle:</i>	N/A
<i>Due Date:</i>	Assessed prior to monthly allocation of municipal sales tax to each city being made
<i>Remitted By:</i>	N/A

**LEGAL CITATION(S)**

Texas Tax Code sec. 321.503

**ENACTED**

H.B. 207, 60th Leg. (1967)

**RATE & BASE CHANGES**

**ALLOCATION**

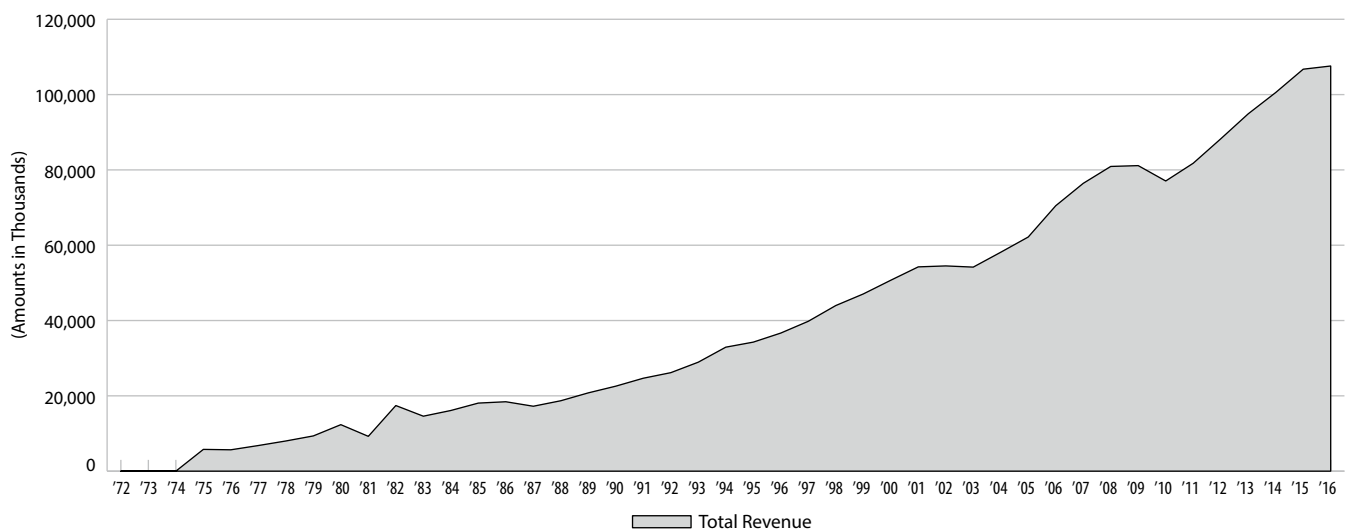
General Revenue Fund 0001 — 100%



**CITY SALES TAX SERVICE FEES (concluded)**  
**Revenue Object 3106**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 0	-	0.00	2000	\$ 50,697	7.7	0.52
1973	0	-	0.00	2001	54,249	7.0	0.51
1974	0	-	0.00	2002	54,502	0.5	0.51
1975	5,781	-	0.74	2003	54,186	(0.6)	0.48
1976	5,673	(1.9)	0.63	2004	58,134	7.3	0.48
1977	6,805	20.0	0.63	2005	62,181	7.0	0.47
1978	8,014	17.8	0.65	2006	70,483	13.4	0.50
1979	9,358	16.8	0.71	2007	76,429	8.4	0.48
1980	12,347	31.9	0.72	2008	80,919	5.9	0.42
1981	9,245	(25.1)	0.43	2009	81,136	0.3	0.52
1982	17,426	88.5	0.74	2010	77,056	(5.0)	0.51
1983	14,597	(16.2)	0.65	2011	81,770	6.1	0.48
1984	16,109	10.4	0.64	2012	88,246	7.9	0.50
1985	18,077	12.2	0.61	2013	94,891	7.5	0.51
1986	18,433	2.0	0.45	2014	100,550	6.0	0.51
1987	17,240	(6.5)	0.49	2015	106,743	6.2	0.51
1988	18,699	8.5	0.53	2016	107,591	0.8	0.46
1989	20,791	11.2	0.56	† No revenue deposited to trust			
1990	22,571	8.6	0.56				
1991	24,679	9.3	0.57				
1992	26,156	6.0	0.49				
1993	28,940	10.6	0.42				
1994	32,926	13.8	0.41				
1995	34,266	4.1	0.41				
1996	36,671	7.0	0.40				
1997	39,796	8.5	0.43				
1998	43,978	10.5	0.48				
1999	47,055	7.0	0.45				



Source(s): Glenn Hegar, Texas Comptroller

## **COURT COSTS**

### **Revenue Object 3704**

#### **RATE & BASE**

<i>State:</i>	Various rates depending upon specific court cost. In many instances, and by category of offense, the court cost is: felony, \$133; class A or B misdemeanor, \$83; nonjailable misdemeanor, \$40
<i>Local:</i>	None; generally, local governments may retain 10% of collections as a service fee
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>No. of Fees Collected:</i>	N/A
<i>Payment Cycle:</i>	Quarterly
<i>Due Date:</i>	Last day of the month for the preceding quarter
<i>Remitted By:</i>	City and county treasurers

#### **LEGAL CITATION(S)**

Texas Government Code, Chapter 102; Texas Local Government Code, Chapter 133  
Texas Code of Criminal Procedures, Chapter 102. Various other statutory codes and chapters.

#### **ENACTED**

Various dates depending on penalty

#### **RATE & BASE CHANGES**

66th Legislature (1979) Additional fee for compensation to victims of crime (CVC), from \$10 to \$15 depending on offense  
67th Legislature (1981) CJP rates increased from \$5 to \$20, depending on offense  
68th Legislature (1983) CVC rates increased from \$15 to \$20, depending on offense; \$12.50 fee for CVC on certain misdemeanors.  
69th Legislature (1985) Reduced misdemeanor offense CVC fee from \$12.50 to \$3  
70th Legislature (1987) Expanded base for CVC to include a violation of a municipal ordinance  
71st Legislature (1989) Increased misdemeanor offense fee for violation of municipal ordinance for CVC from \$3 to \$5; added fee for abused children counseling from \$500 to \$1,000 for certain felony convictions  
72nd Legislature (1991) Additional fee for comprehensive rehabilitation from \$5 to \$25 on certain traffic offenses  
73rd Legislature (1993) Rates increased for CVC from \$15 to \$45 depending on offense  
75th Legislature (1997) Consolidated fees to single court case fee except for CVC; est. single "court cost for special services."  
77th Legislature (2001) Established fees, with a maximum of \$250 for certain offenses, related to DNA testing.  
78th Legislature (2003) EMS and Trauma Facilities/Fund. HB 2424: consolidated court fee, CVC Auxillary, Sexual Assault Program Fund.  
80th Legislature (2007) Additional \$60 on class B misdemeanors or higher upon conviction for intoxication/drug offense.  
83rd Legislature (2013) \$5 on any criminal conviction for Statewide Electronic Filing System; \$2 in certain courts for Truancy Prevention.

#### **ALLOCATION**

Many of these costs are split between several of the following funds and accounts:  
General Revenue Fund 0001  
State Highway Fund 0006  
Judicial Fund 0573  
Law Enforcement and Custodial Officer Supplement Retirement Trust Fund 0977  
GR Account - Comprehensive Rehabilitation 0107  
GR Account - Texas Commission on Law Enforcement 0116  
GR Account - Criminal Justice Planning 0421  
GR Account - Compensation To Victims of Crime 0469  
GR Account - Judicial and Court Personnel Training 0540  
GR Account - Bill Blackwood Law Enforcement Management Institute 0581  
GR Account - Crime Stoppers Assistance 5012  
GR Account - Breath Alcohol Testing 5013  
GR Account - Center For Study and Prevention of Juvenile Crime and Delinquency 5029  
GR Account - Fair Defense 5073  
GR Account - Correctional Management Institute and Criminal Justice Center 5083  
GR Account - EMS, Trauma Facilities, Trauma Care Systems 5108  
GR Account - Emergency Radio Infrastructure 5153  
GR Account - Statewide Electronic Filing System 5157  
GR Account - Truancy Prevention and Diversion 5164

### COURT COSTS (concluded) Revenue Object 3704

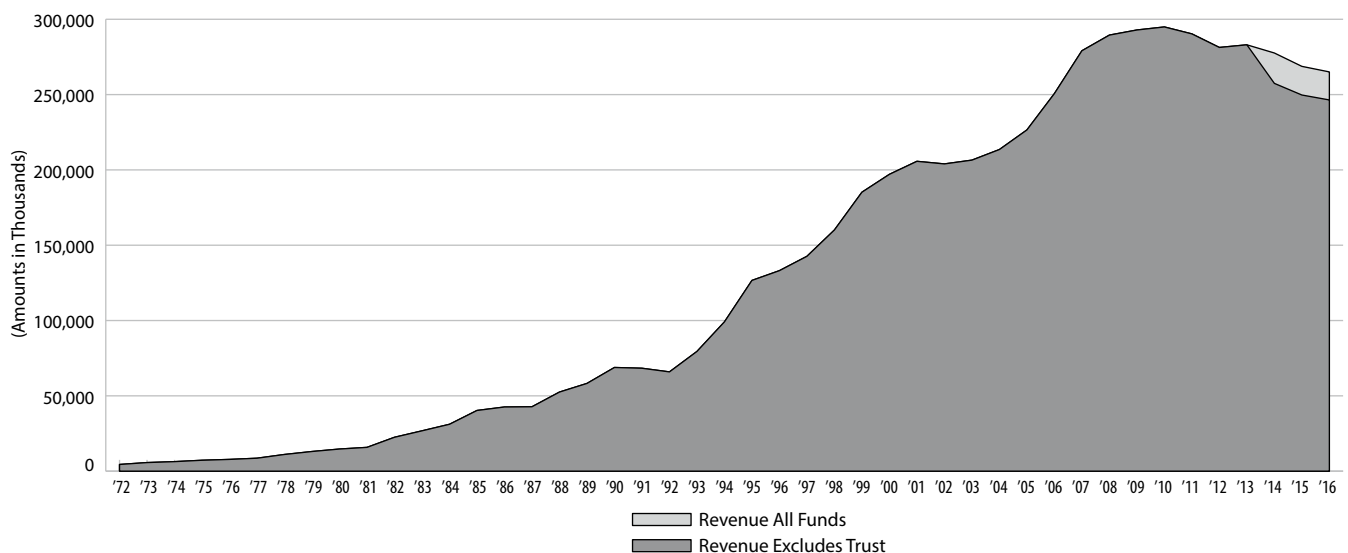
### NET COLLECTIONS (Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 4,439	\$ 4,439	-	0.86
1973	5,702	5,702	28.5	1.01
1974	6,322	6,322	10.9	0.92
1975	7,236	7,236	14.5	0.93
1976	7,799	7,799	7.8	0.86
1977	8,597	8,597	10.2	0.79
1978	11,080	11,080	28.9	0.90
1979	13,046	13,046	17.7	0.99
1980	14,688	14,688	12.6	0.86
1981	15,793	15,793	7.5	0.74
1982	22,496	22,496	42.4	0.96
1983	26,769	26,769	19.0	1.20
1984	31,124	31,124	16.3	1.24
1985	40,290	40,290	29.4	1.35
1986	42,598	42,598	5.7	1.05
1987	42,753	42,753	0.4	1.22
1988	52,512	52,512	22.8	1.49
1989	58,244	58,244	10.9	1.57
1990	68,833	68,833	18.2	1.70
1991 <sup>2</sup>	68,328	68,324	(0.7)	1.59
1992	65,901	65,901	(3.5)	1.22
1993	79,478	79,478	20.6	1.15
1994	99,118	99,118	24.7	1.23
1995	126,628	126,628	27.8	1.50
1996	133,120	133,120	5.1	1.47
1997	142,640	142,640	7.2	1.53
1998	160,133	160,132	12.3	1.73
1999	185,189	185,189	15.6	1.78

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
2000	\$ 197,065	\$ 197,065	6.4	2.02
2001	205,700	205,700	4.4	1.95
2002	203,973	203,973	(0.8)	1.89
2003	206,488	206,488	1.2	1.84
2004	213,527	213,527	3.4	1.75
2005	226,524	226,524	6.1	1.72
2006	250,673	250,672	10.7	1.77
2007	279,092	279,092	11.3	1.76
2008	289,498	289,498	3.7	1.49
2009	292,883	292,883	1.2	1.88
2010	294,903	294,903	0.7	1.95
2011	290,301	290,301	(1.6)	1.71
2012 <sup>1</sup>	281,289	281,289	(3.1)	1.59
2013	283,047	283,047	0.6	1.51
2014	277,612	257,446	(9.0)	1.31
2015	268,740	249,722	(3.0)	1.19
2016	265,054	246,439	(1.3)	1.06

<sup>1</sup> Prior to 2012 object codes 3704, 3712, 3713 and 3721 were used in calculating the Net Collections. Beginning 2012 - 3712, 3713, and 3721 were inactivated and 3704 is used for all Net Collections.

<sup>2</sup> Minor amounts of fees deposited into Trust, \$3,600 in 1991, \$10 in 1997 and \$1,050 in 2006



Source(s): Glenn Hegar, Texas Comptroller

## **COURT FINES**

### **Revenue Object 3710**

#### **RATE & BASE**

<i>State:</i>	Not more than \$500 for contempt of court; \$30 state traffic fine; fines related to metal recycling of up to \$10,000; \$100 to \$200 for offense relating to use of seat belts; state portion of fines and penalties related to Water Code Chapter
<i>Local:</i>	In some instances, municipalities or counties may retain 5%-10% of collections as a service fee
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts. Texas Commission on Environmental Quality for water penalties
<i>No. of Fees Collected:</i>	N/A
<i>Payment Cycle:</i>	N/A
<i>Due Date:</i>	Varies. As determined by the court, upon receipt, quarterly or annually, depending on the fine
<i>Remitted By:</i>	Municipality or county

#### **LEGAL CITATION(S)**

Texas Government Code sec. 21.002  
Texas Transportation Code sec. 542.4031, 545.412-545.413  
Texas Occupation Code sec. 1956.040  
Texas Water Code sec. 7.190

#### **ENACTED**

Various, depending on the fine. Beginning with contempt of court fine in 1892

#### **RATE & BASE CHANGES**

75th Legislature (1997) Added fines related to Water Code violations  
77th Legislature (2001) Added seat belt/child safety belt fine  
78th Legislature (2003) Added state traffic fine  
82nd Legislature (2011) Added metal recycling fee

#### **ALLOCATION**

State \$30 Traffic Fine:  
General Revenue Fund 0001 — 67%  
GR Account - Designated Trauma Facility and EMS 5111 — 33%

Note: In the event proceeds from the \$30 state traffic fine combined with those of the driver point surcharge program exceed \$250 million in a year, the excess is deposited to the Texas Mobility Fund 0365

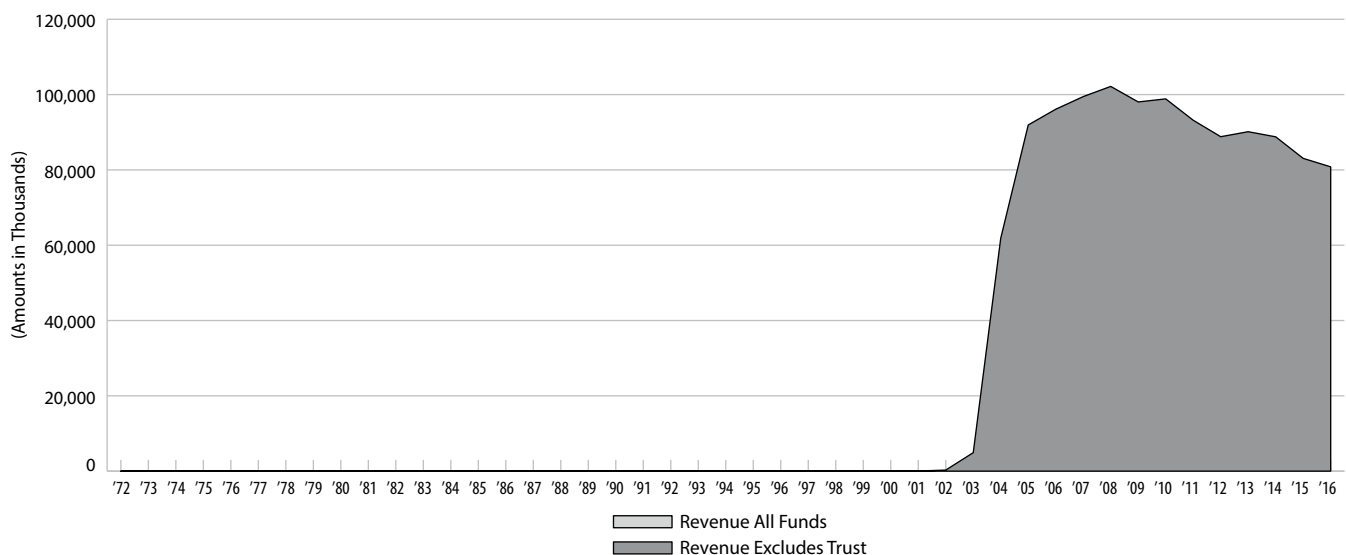
All Other Court Fines:  
General Revenue Fund 0001 — 100%

**COURT FINES (concluded)**  
**Revenue Object 3710**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 0	\$ 0	-	0.00	2000	\$ 3	\$ 3	(159.0)	0.00
1973	0	0	-	0.00	2001	42	42	1,528.5	0.00
1974	0	0	-	0.00	2002	289	289	581.4	0.00
1975	0	0	-	0.00	2003	4,911	4,911	1,602.2	0.04
1976	0	0	-	0.00	2004	61,859	61,859	1,159.6	0.51
1977	0	0	-	0.00	2005	91,933	91,933	48.6	0.70
1978	0	0	-	0.00	2006	96,108	96,108	4.5	0.68
1979	0	0	-	0.00	2007	99,465	99,465	3.5	0.63
1980	0	0	-	0.00	2008	102,170	102,170	2.7	0.53
1981	0	0	-	0.00	2009	98,044	98,044	(4.0)	0.63
1982	0	0	-	0.00	2010	98,861	98,861	0.8	0.65
1983	0	0	-	0.00	2011	93,188	93,188	(5.7)	0.55
1984	1	1	87.3	0.00	2012	88,816	88,816	(4.7)	0.50
1985	2	2	169.7	0.00	2013	90,143	90,143	1.5	0.48
1986	1	1	(28.7)	0.00	2014	88,783	88,783	(1.5)	0.45
1987	2	2	59.7	0.00	2015	83,060	83,060	(6.4)	0.39
1988	2	2	(13.6)	0.00	2016	80,809	80,809	(2.7)	0.35
1989	3	3	58.5	0.00					
1990 <sup>1</sup>	3	3	6.3	0.00					
1991	3	3	(14.9)	0.00					
1992	1	1	(75.4)	0.00					
1993	3	3	358.6	0.00					
1994	1	1	(62.6)	0.00					
1995	2	2	45.8	0.00					
1996	2	2	34.3	0.00					
1997	4	4	76.6	0.00					
1998	10	10	147.1	0.00					
1999	(4)	(4)	(143.0)	(0.00)					

<sup>1</sup> Only one refund of a Court Fine was recorded to a Trust in 1990 for (\$795.90)



Source(s): Glenn Hegar, Texas Comptroller

**CREDIT CARD AND ELECTRONIC SERVICES RELATED FEES**  
**Revenue Object 3879**

**RATE & BASE**

<i>State:</i>	Fees for the use of a credit, charge or debit card to pay fees and penalties; fees related to electronic services transactions, including processing and convenience fees; and cost recovery fees in relation to the State Electronic Internet Portal project
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Various authorized state agencies
<i>No. of Fees Collected:</i>	N/A
<i>Payment Cycle:</i>	N/A
<i>Due Date:</i>	At time payment is remitted
<i>Remitted By:</i>	Users of Credit Cards

**LEGAL CITATION(S)**

Texas Government Code sec. 403.023, 2054.2591

**ENACTED**

H.B. 2048, 79th Leg., R.S. (2005)

**RATE & BASE CHANGES**

**ALLOCATION**

The appropriated fund or account



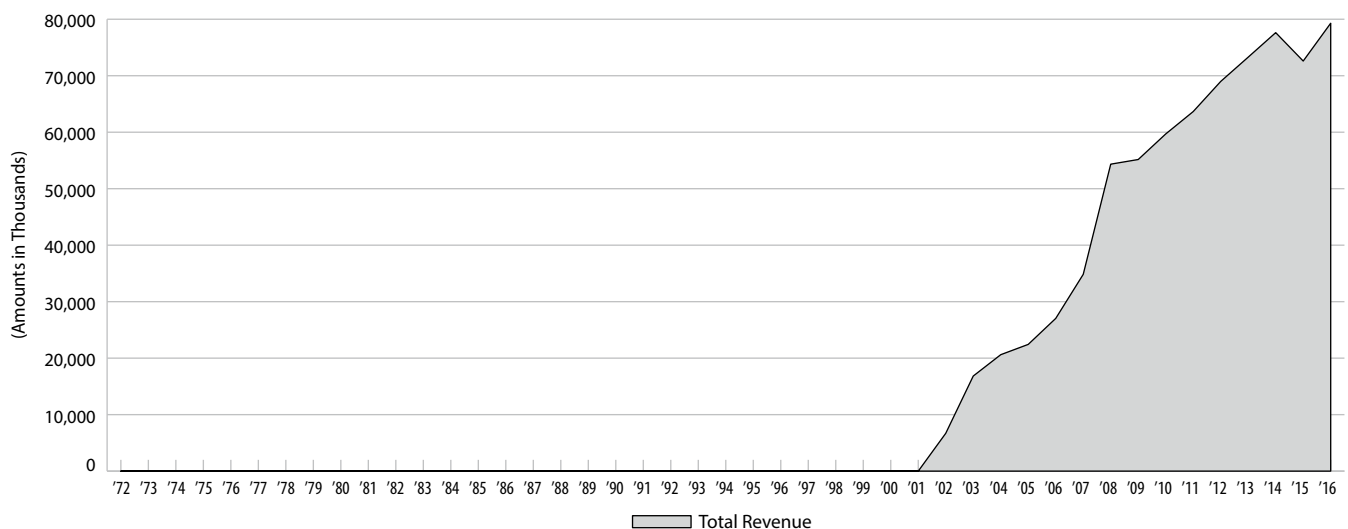
**CREDIT CARD AND ELECTRONIC SERVICES RELATED FEES (concluded)**  
**Revenue Object 3879**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 0	-	0.00	2000	\$ 0	-	0.00
1973	0	-	0.00	2001	0	-	0.00
1974	0	-	0.00	2002 <sup>1</sup>	6,695	-	0.06
1975	0	-	0.00	2003	16,834	151.4	0.15
1976	0	-	0.00	2004	20,613	22.4	0.17
1977	0	-	0.00	2005	22,436	8.8	0.17
1978	0	-	0.00	2006	27,037	20.5	0.19
1979	0	-	0.00	2007	34,836	28.8	0.22
1980	0	-	0.00	2008	54,344	56.0	0.28
1981	0	-	0.00	2009	55,166	1.5	0.35
1982	0	-	0.00	2010	59,691	8.2	0.39
1983	0	-	0.00	2011	63,656	6.6	0.37
1984	0	-	0.00	2012	68,989	8.4	0.39
1985	0	-	0.00	2013	73,291	6.2	0.39
1986	0	-	0.00	2014	77,628	5.9	0.39
1987	0	-	0.00	2015	72,600	(6.5)	0.34
1988	0	-	0.00	2016	79,296	9.2	0.34
1989	0	-	0.00				
1990	0	-	0.00				
1991	0	-	0.00				
1992	0	-	0.00				
1993	0	-	0.00				
1994	0	-	0.00				
1995	0	-	0.00				
1996	0	-	0.00				
1997	0	-	0.00				
1998	0	-	0.00				
1999	0	-	0.00				

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> Prior to fiscal 2002, Revenue Object code 3879 was used for Amortization of Premium or Discounts on Notes and Certificates of Deposits and not used in calculating the Net Collections for this revenue source.



Source(s): Glenn Hegar, Texas Comptroller

**DIESEL FUEL TAX**  
**Revenue Object 3008 \***

**RATE & BASE**

<i>State:</i>	20 cents per gallon (eligible transit companies qualify for a refund of one-half cent per gallon)
<i>Local:</i>	None
<i>Federal:</i>	\$0.244 per gallon
<i>Major Exemptions:</i>	Federal government; aircraft and aircraft servicing equipment; scheduled inter-city bus routes; volunteer fire departments; Texas public school districts; commercial transportation companies and/or certain metropolitan rapid transit authorities providing public school transportation services to Texas school districts; diesel fuel used as feedstock in manufacturing certain tangible personal property; exemptions available for agricultural/industrial/commercial, marine, railway engine and off-road uses only if dyed diesel fuel is used

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	1,168 (not including interstate truckers)
<i>Payment Cycle:</i>	Suppliers, permissive suppliers, distributors, importers, exporters and blenders — monthly; dyed diesel fuel bonded users and International Fuel Tax Agreement (IFTA) licensees — quarterly; Interstate truckers (except IFTA licensed) — quarterly or yearly if qualified
<i>Due Date:</i>	Monthly — 25th day of the month for taxes collected during the preceding month Quarterly — 25th day of the month succeeding each calendar quarter
<i>Remitted by:</i>	Suppliers, permissive suppliers, distributors, importers, exporters, blenders, dyed diesel fuel bonded users, interstate truckers and IFTA licensees

**LEGAL CITATION(S)**

Texas Tax Code, §§ 162.201, 162.202, 162.204, 162.205, 162.214, 162.215, 162.227

**ENACTED**

47th Legislature (1941) 8 cents per gallon

**RATE & BASE CHANGES**

48th Legislature (1943) 6 cents per gallon  
54th Legislature (1955) 6.5 cents per gallon  
67th Legislature (1981) 5 cent rate reduction for certified transit companies (eff. 1/1/82)  
68th Legislature (1984) 10 cents per gallon (eff. 8/1/84)  
69th Legislature (1986) 15 cents per gallon (eff. 1/1/87 to 8/31/87)  
70th Legislature (1987) 15 cents per gallon (eff. 9/1/87)  
72nd Legislature (1991) 20 cents per gallon (eff. 10/1/91)

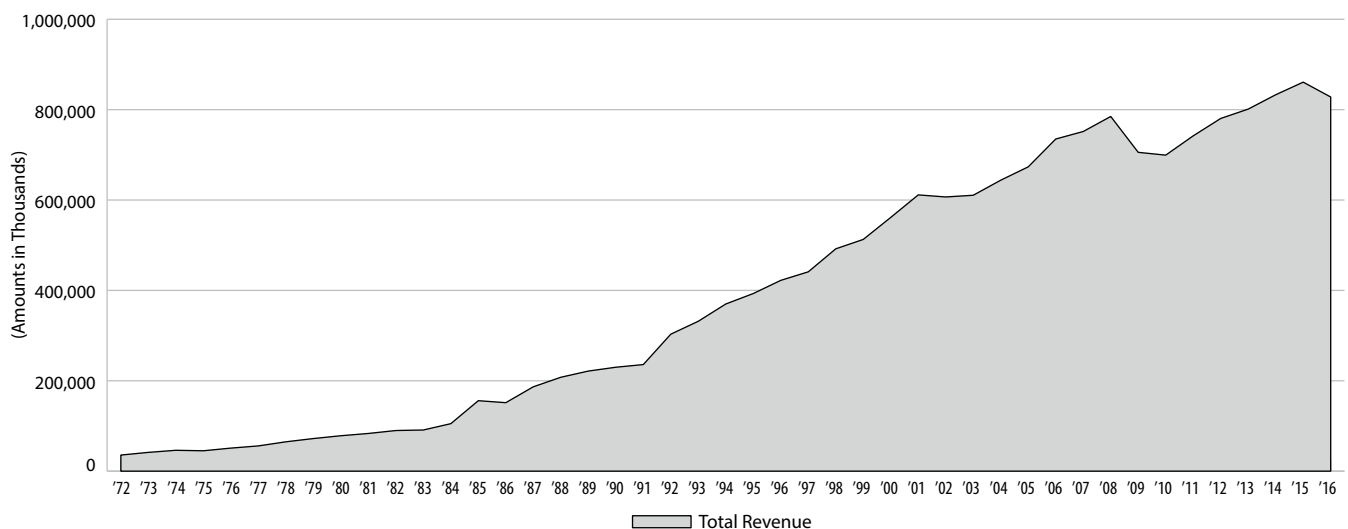
**ALLOCATION**

After deductions for refunds, administration and enforcement:  
Available School Fund 0002 — 25% of balance  
State Highway Fund 0006 — 75% of balance

**DIESEL FUEL TAX (concluded)**  
**Revenue Object 3008 \***

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972 <sup>1</sup>	\$ 35,616	-	1.52	2000	\$ 561,560	9.5	2.22
1973	41,571	16.7	1.61	2001	611,355	8.9	2.25
1974	46,172	11.1	1.53	2002	606,788	(0.7)	2.31
1975	45,125	(2.3)	1.34	2003	610,556	0.6	2.34
1976	51,012	13.0	1.30	2004	643,894	5.5	2.31
1977	55,874	9.5	1.26	2005	673,431	4.6	2.26
1978	64,937	16.2	1.29	2006	735,018	9.1	2.19
1979	72,162	11.1	1.34	2007	751,645	2.3	2.03
1980	78,383	8.6	1.24	2008	784,927	4.4	1.90
1981	83,416	6.4	1.08	2009	705,541	(10.1)	1.87
1982	89,908	7.8	1.04	2010	699,331	(0.9)	1.98
1983	91,078	1.3	1.07	2011	742,027	6.1	1.91
1984	105,100	15.4	1.13	2012	780,517	5.2	1.77
1985	155,938	48.4	1.45	2013	801,212	2.7	1.68
1986	151,548	(2.8)	1.48	2014	832,978	4.0	1.63
1987	186,672	23.2	1.82	2015	860,887	3.4	1.67
1988	207,780	11.3	1.68	2016	827,967	(3.8)	1.71
1989	221,482	6.6	1.72	* Revenue Object code 3651 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections † No revenue deposited to trust <sup>1</sup> Includes Liquefied Gas tax receipts from fiscal 1972 through 1979			
1990	229,979	3.8	1.69				
1991	235,859	2.6	1.58				
1992	303,118	28.5	1.91				
1993	331,707	9.4	1.95				
1994	369,921	11.5	2.04				
1995	393,065	6.3	2.08				
1996	422,225	7.4	2.14				
1997	441,089	4.5	2.08				
1998	491,995	11.5	2.17				
1999	512,804	4.2	2.17				



Source(s): Glenn Hegar, Texas Comptroller

## **DRIVER RECORD INFORMATION FEES**

### **Revenue Object 3027**

#### **RATE & BASE**

<i>State:</i>	\$6 per request for conviction/accident records; driver record reports are from \$2.50 to \$2,000 and over, depending on the information requested
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Law enforcement and other government agencies

#### **ADMINISTRATION**

<i>Agency:</i>	Texas Department of Public Safety (DPS) and Texas Department of Transportation (TxDOT)
<i>No. of Fees Collected:</i>	15,629,511 (Fiscal 2016)
<i>Payment Cycle:</i>	Daily
<i>Due Date:</i>	Daily
<i>Remitted by:</i>	TxDOT (accident reports) and DPS (driver record reports); fees for both collected from insurance carriers and other entities

#### **LEGAL CITATION(S)**

Texas Transportation Code, §§ 521.045 - 521.058, 550.065, Code of Criminal Procedure, 45.0511 (c-1)

#### **ENACTED**

56th Legislature (1959) \$0.25 to \$1 per request

#### **RATE & BASE CHANGES**

61st Legislature (1970) \$2 per accident report  
62nd Legislature (1971) Increased fees ranging from \$1 to \$3 per request; discounts for large volume  
68th Legislature (1983) Increased accident report fee to \$4  
69th Legislature (1985) Increased driver record fees  
72nd Legislature (1991) Increased driver record fees  
73rd Legislature (1993) Added fee to not release address; temporary 15% increase in accident report fees  
75th Legislature (1997) Certain fees reduced by \$0.50 to \$1.50; created an interactive driver records data base  
77th Legislature (2001) Increased fee for magnetic tape sales of driver record info to \$2,000 and to \$75 for weekly updates (eff. 9/1/01); increased officer accident report fee to \$6  
78th Legislature (2003) Set fee of \$20 for certified abstract of complete driving record (eff. 9/1/03); changed allocation of driver record fee to Texas Mobility Fund 0365 (eff. 9/1/05)  
79th Legislature (2005) Delayed allocation of driver record fees to Texas Mobility Fund 0365 for one year  
81st Legislature (2009) Extended \$6 fee to cover accident report information provided by TxDOT in annual reports required by 80th Legislature

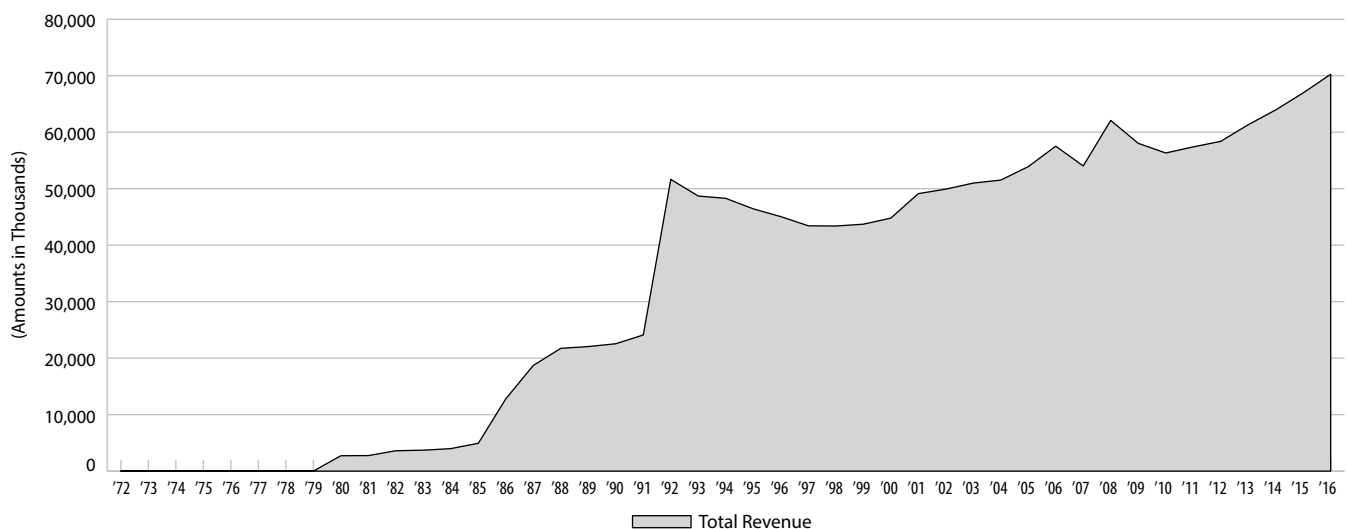
#### **ALLOCATION**

General Revenue Fund 0001 — \$6 accident report  
Texas Mobility Fund 0365 — All remaining (i.e., driver record) fees

**DRIVER RECORD INFORMATION FEES (concluded)**  
**Revenue Object 3027**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 0	-	0.00	2000	\$ 44,785	2.4	0.46
1973	0	-	0.00	2001	49,120	9.7	0.46
1974	0	-	0.00	2002	49,920	1.6	0.46
1975	0	-	0.00	2003	50,993	2.2	0.45
1976	0	-	0.00	2004	51,524	1.0	0.42
1977	0	-	0.00	2005	53,901	4.6	0.41
1978	0	-	0.00	2006	57,524	6.7	0.41
1979	0	-	0.00	2007	54,026	(6.1)	0.34
1980	2,724	-	0.16	2008	62,087	14.9	0.32
1981	2,752	1.0	0.13	2009	58,035	(6.5)	0.37
1982	3,606	31.1	0.15	2010	56,322	(3.0)	0.37
1983	3,707	2.8	0.17	2011	57,399	1.9	0.34
1984	3,983	7.5	0.16	2012	58,383	1.7	0.33
1985	4,930	23.8	0.17	2013	61,321	5.0	0.33
1986	12,800	159.6	0.32	2014	63,947	4.3	0.32
1987	18,711	46.2	0.54	2015	66,962	4.7	0.32
1988	21,735	16.2	0.62	2016	70,254	4.9	0.30
1989	22,051	1.5	0.59	† No revenue deposited to trust			
1990	22,551	2.3	0.56				
1991	24,107	6.9	0.56				
1992	51,646	114.2	0.96				
1993	48,697	(5.7)	0.70				
1994	48,292	(0.8)	0.60				
1995	46,430	(3.9)	0.55				
1996	45,056	(3.0)	0.50				
1997	43,431	(3.6)	0.47				
1998	43,393	(0.1)	0.47				
1999	43,715	0.7	0.42				



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Public Safety

**DRIVER'S LICENSE FEES**  
**Revenue Object 3025****RATE & BASE**

<i>State:</i>	\$24 for 6-year operator license, \$32 with motorcycle; \$60 for 5-year commercial license (CDL); \$10 duplicate license; \$120 non-resident CDL w/various expiration dates; \$20 temporary non-resident CDL; \$10 occupational license valid 1 year; original operator and CDL issued to persons 85+ expire in 2 years; personal identification certificate \$15 or \$5 for person 60+
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Disabled veterans

**ADMINISTRATION**

<i>Agency:</i>	Texas Department of Public Safety (DPS)
<i>No. Fees Collected Annually:</i>	5,712,075
<i>Payment Cycle:</i>	Six-year renewal (standard operator's license)
<i>Due Date:</i>	Renewals — on or before birthday of vehicle operator
<i>Remitted By:</i>	Vehicle operators

**LEGAL CITATION(S)**

Texas Transportation Code, Title 7, Subtitle B, Chapters 521 and 522

**ENACTED**

44th Legislature (1935)

**RATE & BASE CHANGES**

Various rate increases between 1935 and 1970

62nd Legislature (1971) Increased operator license to \$7, commercial license to \$10, chauffeurs license to \$13 and set occupational license at \$3

68th Legislature (1983) Increased operator license to \$10, motorcycle to \$10, and occupational to \$10

69th Legislature (1985) Increased operator and commercial licenses to \$16

71st Legislature (1989) Increased commercial license to \$40, increased motorcycle to \$16

75th Legislature (1997) Increased operator license to \$24, motorcycle to \$32, and commercial to \$60 (license term extension—to 6 years—and corresponding fee increase to be phased in by DPS)

76th Legislature (1999) Increased certain reinstatement fees to \$100 from \$50

78th Legislature (2003) Changed allocation of driver's license fees to Texas Mobility Fund 0365 (eff. 9/1/05)

79th Legislature (2005) Delayed allocation of driver's license fees to Texas Mobility Fund 0365 for 2 years

80th Legislature (2007) Special renewal periods for age 85+, for persons age 79+ no applications/renewals by mail/electronic means; added \$1 voluntary fee on issuance/renewal to fund blindness education/screening/treatment program, donor education, awareness and registry program or Texas Organ, Tissue and Eye Donor Council

81st Legislature (2009) Increased reinstatement fee \$50 to \$100 for motor vehicle offenses; established fee of \$24 for license/personal ID certificate issued to non-citizen for one year; prohibited issuance of a license to persons under 25 unless they present a certificate of completion from an approved driver education course

82nd Legislature (2011) Added personal ID certificate to documents exempt from fee for disabled veterans

**ALLOCATION**

Each motorcycle license:  
Motorcycle Education Fund 0501 — \$5  
Texas Mobility Fund 0365 — remaining balance  
General Revenue Fund 0001 — all voluntary fees

All other driver license fees:  
Texas Mobility Fund 0365 — 100%  
General Revenue Fund 0001 — all voluntary fees

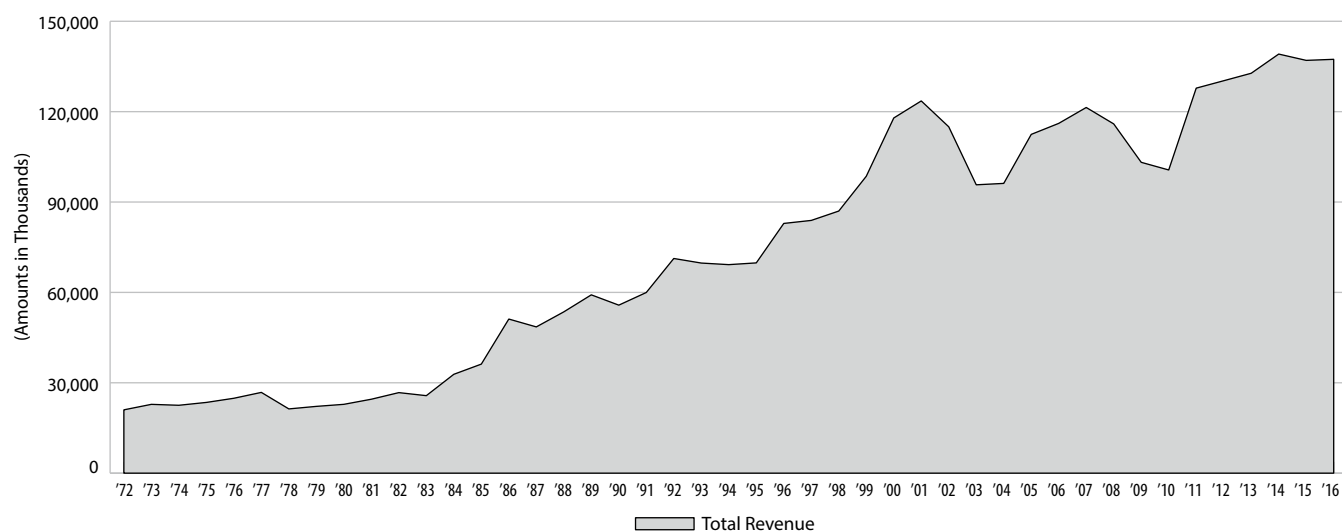


**DRIVER'S LICENSE FEES (concluded)**  
**Revenue Object 3025**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 21,016	-	4.09	2000	\$ 117,896	19.6	1.21
1973	22,841	8.7	4.03	2001	123,557	4.8	1.17
1974	22,532	(1.4)	3.26	2002	114,973	(6.9)	1.07
1975	23,479	4.2	3.01	2003	95,718	(16.7)	0.85
1976	24,860	5.9	2.75	2004	96,183	0.5	0.79
1977	26,807	7.8	2.47	2005	112,455	16.9	0.85
1978	21,327	(20.4)	1.73	2006	116,109	3.2	0.82
1979	22,168	3.9	1.68	2007	121,384	4.5	0.77
1980	22,846	3.1	1.34	2008	115,927	(4.5)	0.60
1981	24,542	7.4	1.15	2009	103,181	(11.0)	0.66
1982	26,733	8.9	1.14	2010	100,639	(2.5)	0.67
1983	25,724	(3.8)	1.15	2011	127,803	27.0	0.75
1984	32,816	27.6	1.31	2012	130,263	1.9	0.74
1985	36,197	10.3	1.22	2013	132,743	1.9	0.71
1986	51,157	41.3	1.26	2014	139,114	4.8	0.71
1987	48,547	(5.1)	1.39	2015	137,020	(1.5)	0.65
1988	53,542	10.3	1.52	2016	137,371	0.3	0.59
1989	59,190	10.5	1.60				
1990	55,771	(5.8)	1.37				
1991	59,969	7.5	1.39				
1992	71,259	18.8	1.32				
1993	69,743	(2.1)	1.01				
1994	69,217	(0.8)	0.86				
1995	69,796	0.8	0.83				
1996	82,894	18.8	0.91				
1997	83,896	1.2	0.90				
1998	87,005	3.7	0.94				
1999	98,548	13.3	0.94				

<sup>†</sup> No revenue deposited to trust



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Public Safety; U.S. Department of Transportation

## **DRIVER'S LICENSE POINT SURCHARGES**

### **Revenue Object 3024**

#### **RATE & BASE**

<i>State:</i>	\$100 for the first 6 moving violation points and \$25 for each additional point; \$1,000 to \$2,000 per year surcharge on a DWI conviction; \$250 for invalid license; \$100 for driving without a license
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

#### **ADMINISTRATION**

<i>Agency:</i>	Texas Department of Public Safety (DPS)
<i>No. of Fees Collected:</i>	
<i>Payment Cycle:</i>	N/A
<i>Due Date:</i>	Within 30 days of notification by DPS
<i>Remitted by:</i>	DPS; collected from offenders

#### **LEGAL CITATION(S)**

Transportation Code sec. 708.051, 708.052, 708.053, 708.054, 708.102, 708.103, 708.104  
Health and Safety Code sec. 780.002

#### **ENACTED**

H.B. 3588, 78th Leg., R.S. (2003) and H.B. 2, 78th Leg., 3rd C.S. (2003)

#### **RATE & BASE CHANGES**

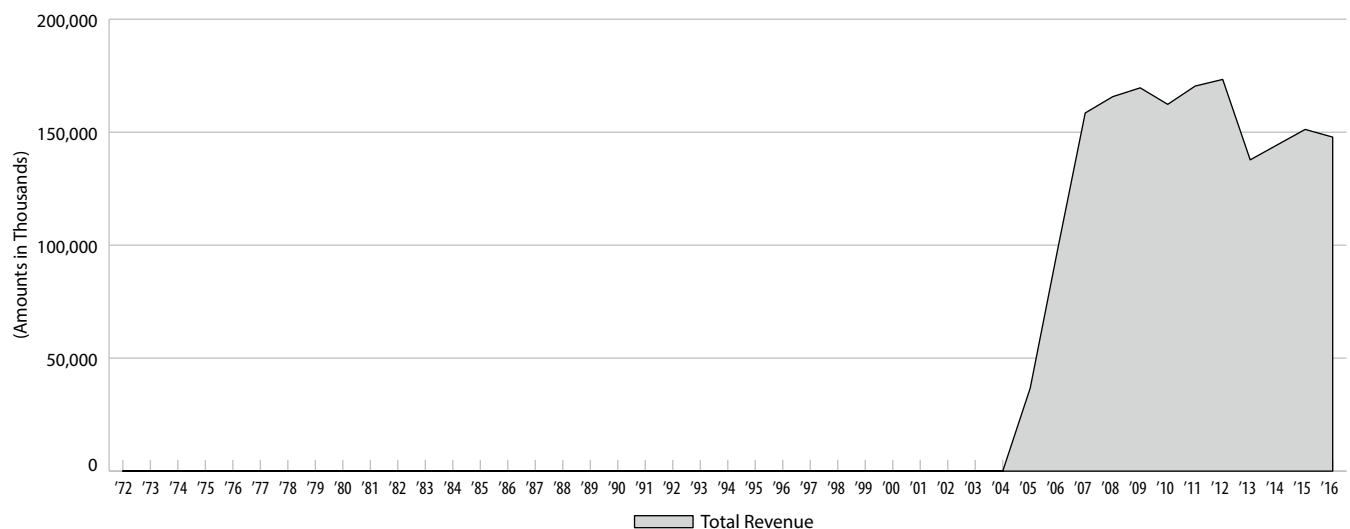
#### **ALLOCATION**

General Revenue Fund 0001 — Beginning in FY 2006, 49.5% of surcharges plus an additional 1% of surcharges (together totaling 50.5%) that may only be appropriated to DPS for administration  
GR Account – Designated Trauma Facility and EMS 5111 — Beginning FY 2006, 49.5% of surcharges  
Texas Mobility Fund 0365 — If the combined deposit to General Revenue Fund 0001 (the 49.5% portion) of driver's license point surcharges (Revenue Object 3024) and state traffic fines (Revenue Object 3710; Transportation Code 542.4031(g)(1)) exceeds \$250 million in a fiscal year, the excess is deposited to the Texas Mobility Fund 0365

**DRIVER'S LICENSE POINT SURCHARGES (concluded)**  
**Revenue Object 3024**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 0	-	0.00	2000	\$ 0	-	0.00
1973	0	-	0.00	2001	0	-	0.00
1974	0	-	0.00	2002	0	-	0.00
1975	0	-	0.00	2003	0	-	0.00
1976	0	-	0.00	2004	0	-	0.00
1977	0	-	0.00	2005	36,783	-	0.28
1978	0	-	0.00	2006	98,294	167.2	0.69
1979	0	-	0.00	2007	158,511	61.3	1.00
1980	0	-	0.00	2008	165,736	4.6	0.85
1981	0	-	0.00	2009	169,637	2.4	1.09
1982	0	-	0.00	2010	162,325	(4.3)	1.07
1983	0	-	0.00	2011	170,431	5.0	1.00
1984	0	-	0.00	2012	173,369	1.7	0.98
1985	0	-	0.00	2013	137,763	(20.5)	0.74
1986	0	-	0.00	2014	144,509	4.9	0.73
1987	0	-	0.00	2015	151,236	4.7	0.72
1988	0	-	0.00	2016	147,830	(2.3)	0.63
1989	0	-	0.00	† No revenue deposited to trust			
1990	0	-	0.00				
1991	0	-	0.00				
1992	0	-	0.00				
1993	0	-	0.00				
1994	0	-	0.00				
1995	0	-	0.00				
1996	0	-	0.00				
1997	0	-	0.00				
1998	0	-	0.00				
1999	0	-	0.00				



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Public Safety

**FEES - ADMINISTRATIVE SERVICES**  
**Revenue Objects 3727**

**RATE & BASE**

<i>State:</i>	State agencies may collect fees to cover certain administrative costs. Fees vary depending on service and/or agency
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Various
<i>No. of Fees Collected:</i>	N/A
<i>Payment Cycle:</i>	
<i>Due Date:</i>	Various or as determined by the agency. Depending on the fee
<i>Remitted By:</i>	Licensees, individuals, businesses, government agencies, and other entities

**LEGAL CITATION(S)**

**ENACTED**

Various enactment dates depending on the fee

**RATE & BASE CHANGES**

Various, depending on the fee

**ALLOCATION**

Various, depending on the fee

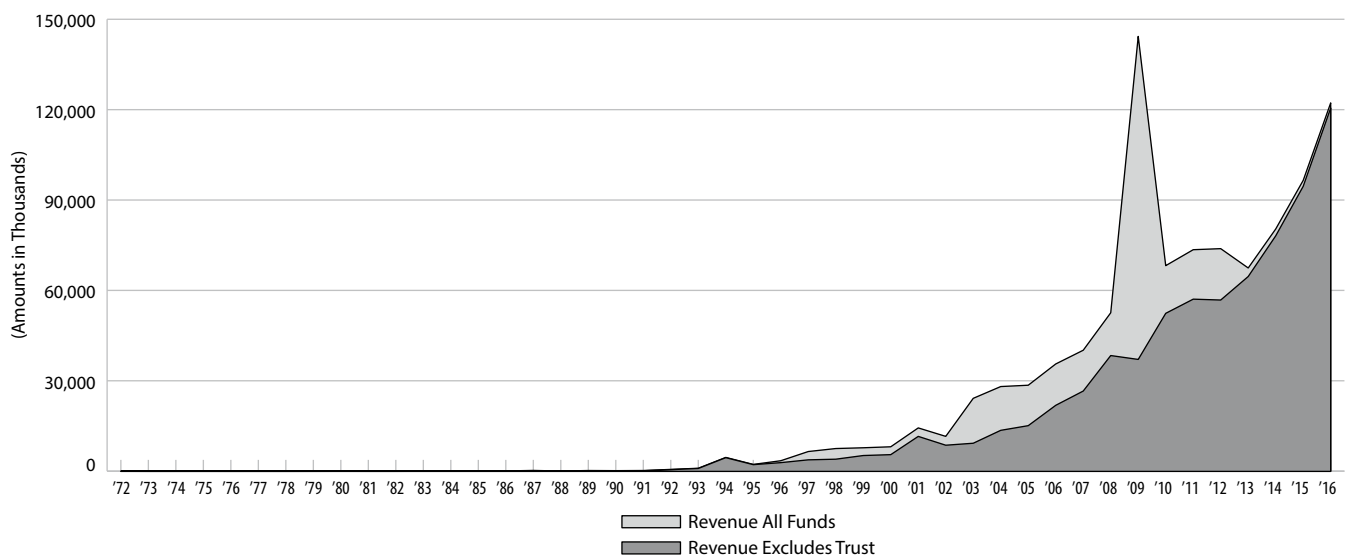
**FEES - ADMINISTRATIVE SERVICES (concluded)**  
**Revenue Objects 3727**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 31	\$ 31	-	0.01
1973	12	12	(61.9)	0.00
1974	13	13	9.0	0.00
1975	16	16	28.2	0.00
1976	10	10	(37.2)	0.00
1977	13	13	26.4	0.00
1978	11	11	(12.6)	0.00
1979	19	19	67.3	0.00
1980	27	27	39.9	0.00
1981	19	19	(29.3)	0.00
1982	18	18	(7.3)	0.00
1983	34	34	92.5	0.00
1984	31	31	(8.1)	0.00
1985	44	44	42.4	0.00
1986	69	69	56.2	0.00
1987	246	246	256.7	0.01
1988	36	36	(85.2)	0.00
1989	214	214	489.2	0.01
1990	168	168	(21.4)	0.00
1991	219	219	29.8	0.01
1992	584	584	166.9	0.01
1993	968	968	65.9	0.01
1994	4,560	4,560	371.1	0.06
1995	2,243	2,240	(50.9)	0.03
1996	3,459	2,912	30.0	0.03
1997	6,515	3,842	31.9	0.04
1998	7,509	4,057	5.6	0.04
1999	7,763	5,272	30.0	0.05

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
2000	\$ 8,092	\$ 5,564	5.5	0.06
2001	14,356	11,626	108.9	0.11
2002	11,545	8,695	(25.2)	0.08
2003	24,174	9,351	7.5	0.08
2004	28,085	13,636	45.8	0.11
2005	28,526	15,187	11.4	0.12
2006	35,582	21,938	44.5	0.16
2007	40,142	26,677	21.6	0.17
2008	52,573	38,460	44.2	0.20
2009 <sup>1</sup>	144,318	37,170	(3.4)	0.24
2010	68,217	52,470	41.2	0.35
2011	73,510	57,178	9.0	0.34
2012	73,860	56,888	(0.5)	0.32
2013	67,444	64,695	13.7	0.35
2014	80,381	78,190	20.9	0.40
2015	96,523	94,639	21.0	0.45
2016	122,246	120,636	27.5	0.52

<sup>1</sup> Fiscal year 2009 Revenue All Funds included \$94,369 belonging to another source



Source(s): Glenn Hegar, Texas Comptroller

## **FRANCHISE TAX**

### **Revenue Objects 3130 and 3131**

#### **RATE & BASE**

<i>State:</i>	0.75 percent of a firm's Texas-apportioned "margin" defined as total revenue less the greater of: (1) the cost of goods sold, (2) total compensation, (3) 30% of total revenue, or (4) \$1 million; a rate of 0.375% applies to businesses in retail and wholesale trade
<i>Local:</i>	None
<i>Federal:</i>	None; a federal corporate income tax, however, is levied at marginal rates ranging from 15% to 35% of net income
<i>Major Exemptions:</i>	Insurance companies, open-end investment companies, interest earnings on federal securities, certain non-profit businesses, passive entities, business loss carryover credit, small businesses with owing less than \$1,000 or with total revenue less than \$1 million (adjusted for inflation)

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	1,160,920
<i>Payment Cycle:</i>	Annually
<i>Due Date:</i>	May 15th of each year, with an available extension until November 15th
<i>Remitted By:</i>	Corporations and limited liability companies; partnerships, trusts and other business forms

#### **LEGAL CITATION(S)**

Texas Tax Code, Chapter 171

#### **ENACTED**

30th Legislature (1907) \$0.50 per \$1,000 of taxable capital

#### **RATE & BASE CHANGES**

There were seven rate increases and two rate reduction between 1938 and 1971

62nd Legislature (1971) Raised surtax to \$1.75 (effective rate \$4.50); surtax dropped by \$0.25 to \$1.50 (effective rate \$4.25) from 1972 to 1974

64th Legislature (1975) \$4.25 basic rate — \$55 minimum tax; debt became exempt; no surtax

68th Legislature (1984) \$5.25 basic rate — \$68 minimum tax; banks became taxable (eff. 5/1/85)

70th Legislature (1987) \$5.25 basic rate plus \$1.45 surtax — \$150 minimum tax effective for 1988 and 1989 reports; rate reverted to \$5.25 with no surtax — \$68 minimum tax for reports due in 1990

72nd Legislature (1991) \$2.50 per \$1,000 of taxable capital and amount, if any, by which a tax of 4.5% on earned surplus exceeds the tax on capital

79th Legislature, 3rd Called Session (2006) One percent of a firm's Texas-apportioned "margin," defined as total revenue less the greater of the cost of goods sold, total compensation, or 30% of total revenue; a half-rate of 0.5% applies to businesses in retail and wholesale trade (eff. 01/01/08)

80th Legislature (2007) Variety of amendments to the newly-adopted tax on "margin;" including alternative method of computation ("EZ") at a rate of 0.575%

82nd Legislature, 1st Called Session (2013) Tax Refund for Economic Development, Reinvestment Zone/Abatement Agreement (Revenue Object 3804) was repealed

83rd Legislature (2013) Temporary tax rates of 0.975% in 2014 and 0.95% in 2015 for most taxpayers; 0.4875% in 2014 and 0.475% in 2015 for businesses in retail or wholesale trades; a fourth margin calculation of Total Revenue minus \$1 million is available (eff. 1/1/14)

84th Legislature (2015) Tax rates permanently reduced to 0.75% for most taxpayers and 0.375% for businesses in retail or wholesale trades (eff. 1/1/16); EZ alternative computation rate reduced to 0.331% and revenue threshold increased to \$20 million

#### **ALLOCATION**

General Revenue Fund 0001 — The revenue Comptroller estimates would have been generated if the law in effect on August 31, 2007 had continued in effect for that fiscal year

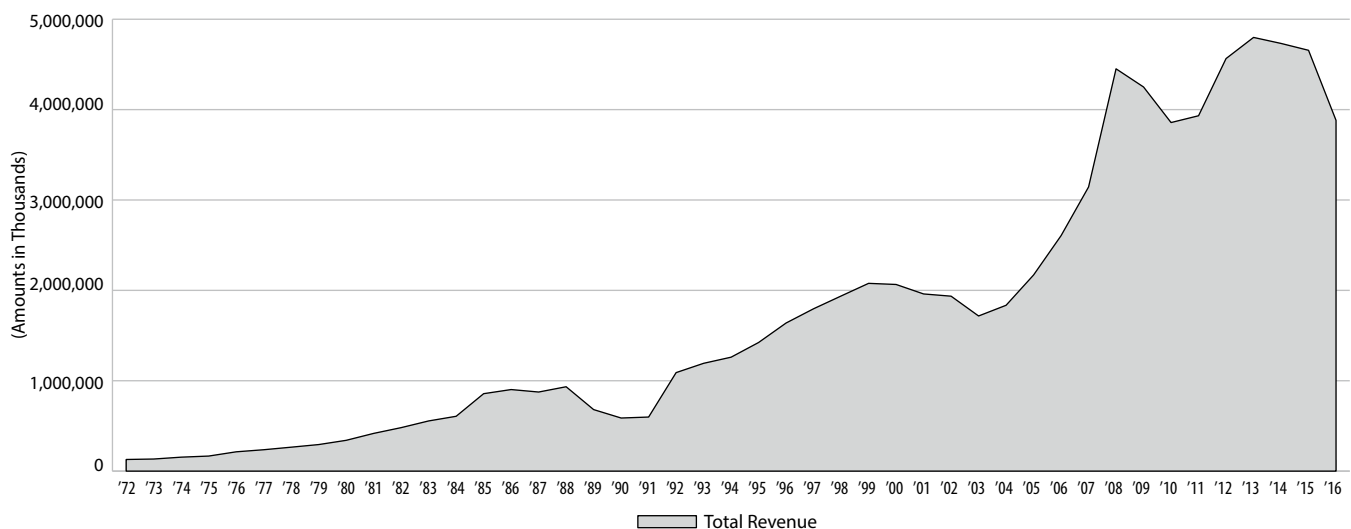
Property Tax Relief Fund 0304 — The amount, if any, by which revenue generated under the law as applicable during the given fiscal year exceeds revenue Comptroller estimates would have been generated if the law in effect on August 31, 2007 had continued in effect for that fiscal year



**FRANCHISE TAX (concluded)**  
**Revenue Objects 3130 and 3131**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 128,781	-	5.49	2000	\$ 2,065,276	(0.6)	8.17
1973	133,813	3.9	5.18	2001	1,960,365	(5.1)	7.20
1974	154,480	15.4	5.11	2002	1,935,709	(1.3)	7.37
1975	166,635	7.9	4.94	2003	1,716,600	(11.3)	6.57
1976	213,582	28.2	5.46	2004	1,835,014	6.9	6.57
1977	236,612	10.8	5.35	2005	2,170,081	18.3	7.27
1978	264,879	11.9	5.26	2006	2,605,447	20.1	7.77
1979	293,810	10.9	5.45	2007	3,144,059	20.7	8.51
1980	340,779	16.0	5.37	2008	4,451,326	41.6	10.76
1981	417,433	22.5	5.39	2009	4,250,332	(4.5)	11.24
1982	481,219	15.3	5.56	2010	3,856,866	(9.3)	10.90
1983	555,312	15.4	6.53	2011	3,932,114	2.0	10.12
1984	606,793	9.3	6.52	2012	4,564,731	16.1	10.36
1985	856,871	41.2	7.99	2013	4,798,699	5.1	10.04
1986	902,505	5.3	8.82	2014	4,732,262	(1.4)	9.28
1987	875,129	(3.0)	8.52	2015	4,656,286	(1.6)	9.01
1988	933,628	6.7	7.55	2016	3,881,176	(16.6)	8.01
1989	680,760	(27.1)	5.27	* Revenue object code 3653 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections. <sup>†</sup> Effective fiscal 1996, revenue object code 3804 (relating to tax refunds for economic development, reinvestment zone/abatement agreements) is used with this revenue source in calculating net collections. Repealed for refunds claimed after October 1, 2011. <sup>‡</sup> No revenue deposited to trust			
1990	587,556	(13.7)	4.31				
1991	598,342	1.8	4.01				
1992	1,090,050	82.2	6.88				
1993	1,192,825	9.4	7.01				
1994	1,260,749	5.7	6.96				
1995	1,423,441	12.9	7.55				
1996 <sup>1</sup>	1,639,015	15.1	8.29				
1997	1,796,605	9.6	8.48				
1998	1,937,752	7.9	8.56				
1999	2,077,633	7.2	8.80				



Source(s): Glenn Hegar, Texas Comptroller

## **GAME, FISH & EQUIPMENT FEES**

### **Revenue Object 3434**

#### **RATE & BASE**

<i>State:</i>	Various rates based on type and term of fee, ranging from \$7 for certain hunting licenses to \$1,800 for a lifetime combination hunting and fishing license
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Individuals aged 16 and under, 65 and older, disabled veterans, and active duty military personnel

#### **ADMINISTRATION**

<i>Agency:</i>	Texas Parks and Wildlife Department (TPWD)
<i>No. of Licenses:</i>	2,577,918 (hunting, fishing, and combo licenses in effect, 2013-14 season)*
<i>Payment Cycle:</i>	Weekly
<i>Due Date:</i>	Weekly remittance, with weekday chosen by agent
<i>Remitted by:</i>	Agents (retailers) authorized by TPWD, certain law enforcement agencies and TPWD
	*Source: Texas Almanac, TPWD

#### **LEGAL CITATION(S)**

Texas Parks and Wildlife Code, Ch. 42, 43, 46, 49, 50, and 71

#### **ENACTED**

39th Legislature (1925) \$2.15 for annual resident hunting license; \$2.15 for annual resident fishing license

#### **RATE & BASE CHANGES**

62nd Legislature (1971) \$3.25 annual resident hunting license  
63rd Legislature (1973) \$5.25 annual resident hunting license; \$4.25 annual resident fishing license; \$8.75 combination resident hunting and fishing license  
65th Legislature (1977) \$4.50 annual resident fishing license  
67th Legislature (1981) \$5 annual resident fishing license  
68th Legislature (1983) \$8 annual resident hunting license; \$4.25 annual resident fishing license; \$12 combination resident hunting and fishing license

NOTE: Since 1985 Parks and Wildlife Commission increased fees several times. Current annual resident license rates are \$25 for hunting; \$40 all water fishing; and \$60 combination hunting/all water fishing. Lifetime resident license rates for hunting or all water fishing are \$1,000, and \$1,800 for a combination license. Some minimum fees are contained in statute, however, TPWD is authorized to set fees above the minimum.

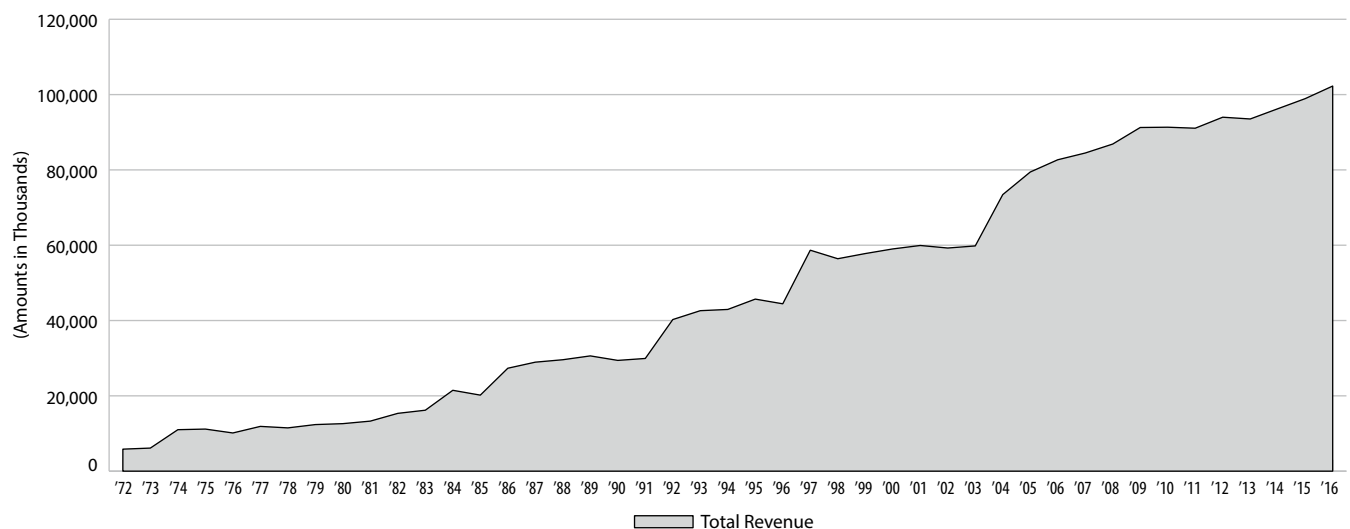
#### **ALLOCATION**

GR – Account Game, Fish, and Water Safety 0009 — All non-commercial game and fish fees (other than Lifetime licenses)  
GR – Account Lifetime License Endowment 0544 — Lifetime licenses

**GAME, FISH & EQUIPMENT FEES (concluded)**  
**Revenue Object 3434**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 5,846	-	1.14	2000	\$ 59,013	2.1	0.60
1973	6,129	4.9	1.08	2001	59,930	1.6	0.57
1974	11,012	79.7	1.60	2002	59,254	(1.1)	0.55
1975	11,175	1.5	1.43	2003	59,808	0.9	0.53
1976	10,142	(9.2)	1.12	2004	73,436	22.8	0.60
1977	11,888	17.2	1.10	2005	79,437	8.2	0.60
1978	11,491	(3.3)	0.93	2006	82,691	4.1	0.58
1979	12,370	7.7	0.94	2007	84,485	2.2	0.53
1980	12,616	2.0	0.74	2008	86,866	2.8	0.45
1981	13,289	5.3	0.62	2009	91,261	5.1	0.58
1982	15,351	15.5	0.65	2010	91,338	0.1	0.60
1983	16,184	5.4	0.73	2011	91,071	(0.3)	0.54
1984	21,472	32.7	0.86	2012	93,994	3.2	0.53
1985	20,190	(6.0)	0.68	2013	93,523	(0.5)	0.50
1986	27,333	35.4	0.67	2014	96,232	2.9	0.49
1987	28,943	5.9	0.83	2015	98,926	2.8	0.47
1988	29,589	2.2	0.84	2016	102,269	3.4	0.44
1989	30,609	3.4	0.83	† No revenue deposited to trust			
1990	29,413	(3.9)	0.72				
1991	29,927	1.7	0.70				
1992	40,260	34.5	0.75				
1993	42,615	5.9	0.61				
1994	42,943	0.8	0.53				
1995	45,690	6.4	0.54				
1996	44,442	(2.7)	0.49				
1997	58,676	32.0	0.63				
1998	56,412	(3.9)	0.61				
1999	57,784	2.4	0.55				



Source(s): Glenn Hegar, Texas Comptroller; Texas Parks and Wildlife Department

**GAS, ELECTRIC & WATER UTILITY TAX**  
**Revenue Object 3233 \***

**RATE & BASE**

<i>State:</i>	Cities with population of over 1,000 through 2,499 — 0.581% of gross receipts; Cities with population of 2,500 through 9,999 — 1.070% of gross receipts; Cities with population of over 9,999 — 1.997% of gross receipts
<i>Local</i>	None
<i>Federal</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	129
<i>Payment Cycle:</i>	Quarterly
<i>Due Date:</i>	Last day of April, July, October and January paid quarterly based on previous quarter's gross receipts
<i>Remitted By:</i>	Utility companies

**LEGAL CITATION(S)**

Texas Tax Code, § 182.022 (the "Utility Company" tax)

**ENACTED**

30th Legislature (1907) 0.0%, 0.5%, and 1.0% for cities with above-listed populations

**RATE & BASE CHANGES**

44th Legislature (1936) 0.0%, 0.7%, and 1.375% for cities with above-listed populations  
47th Legislature (1941) 0.44%, 0.81%, and 1.5125% for cities with above-listed populations  
52nd Legislature (1951) 0.484%, 0.891%, and 1.66375% for cities with above-listed populations  
56th Legislature (1959) 0.581%, 1.070%, and 1.997% for cities with above-listed populations

**ALLOCATION**

General Revenue Fund 0001 — 75%  
GR Account - Foundation School 0193 — 25%

**GAS, ELECTRIC & WATER UTILITY TAX (concluded)**  
**Revenue Object 3233 \***

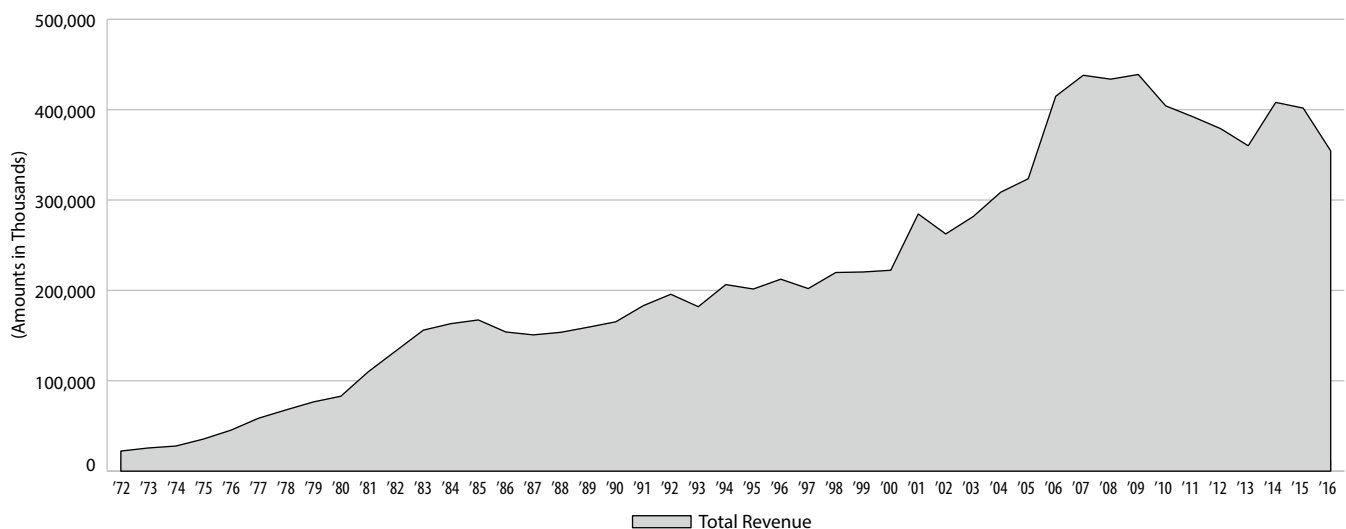
**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 22,244	-	0.95	2000	\$ 222,284	0.9	0.88
1973	25,660	15.4	0.99	2001	284,613	28.0	1.05
1974	27,804	8.4	0.92	2002	262,474	(7.8)	1.00
1975	35,487	27.6	1.05	2003	281,759	7.3	1.08
1976	45,315	27.7	1.16	2004	308,667	9.5	1.11
1977	58,484	29.1	1.32	2005	323,566	4.8	1.08
1978	67,717	15.8	1.35	2006	414,806	28.2	1.24
1979	76,590	13.1	1.42	2007	438,027	5.6	1.19
1980	82,913	8.3	1.31	2008	433,733	(1.0)	1.05
1981	110,029	32.7	1.42	2009	438,916	1.2	1.16
1982	133,027	20.9	1.54	2010	404,175	(7.9)	1.14
1983	156,017	17.3	1.84	2011	392,009	(3.0)	1.01
1984	163,217	4.6	1.75	2012	378,926	(3.3)	0.86
1985	167,310	2.5	1.56	2013	360,040	(5.0)	0.75
1986	154,001	(8.0)	1.51	2014	408,040	13.3	0.80
1987	150,792	(2.1)	1.47	2015	401,734	(1.5)	0.78
1988	153,626	1.9	1.24	2016	354,409	(11.8)	0.73
1989	159,296	3.7	1.23				
1990	165,256	3.7	1.21				
1991	183,106	10.8	1.23				
1992 <sup>1</sup>	195,737	6.9	1.24				
1993 <sup>1</sup>	181,993	(7.0)	1.07				
1994	206,437	13.4	1.14				
1995	201,538	(2.4)	1.07				
1996 <sup>1</sup>	212,409	5.4	1.07				
1997 <sup>1</sup>	202,037	(4.9)	0.95				
1998	219,806	8.8	0.97				
1999	220,389	0.3	0.93				

\* Revenue object code 3669 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> These figures reflect adjustments for deposit and posting errors (see Public Utility Gross Receipts Assessment)



Source(s): Glenn Hegar, Texas Comptroller

**GAS UTILITY PIPELINE TAX**  
**Revenue Object 3234**

**RATE & BASE**

<i>State:</i>	0.5% of gross income (gross receipts less cost of natural gas sold) of natural gas utilities
<i>Local:</i>	None
<i>Federal:</i>	Federal Energy Regulatory Commission applies an annual charge on interstate sales
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Texas Railroad Commission
<i>Number of Taxpayers:</i>	191
<i>Payment Cycle:</i>	Quarterly
<i>Due Date:</i>	20th day of the second month for the succeeding calendar quarter
<i>Remitted By:</i>	Natural gas utility companies

**LEGAL CITATION(S)**

Texas Utilities Code, §§ 122.051, 122.052

**ENACTED**

36th Legislature (1920) 0.25% of gross receipts

**RATE & BASE CHANGES**

71st Legislature (1989) 0.5% of gross income (eff. 10/1/89)

**ALLOCATION**

General Revenue Fund 0001 — 100%



## GAS UTILITY PIPELINE TAX (concluded)

### Revenue Object 3234

### NET COLLECTIONS

(Amounts in Thousands)

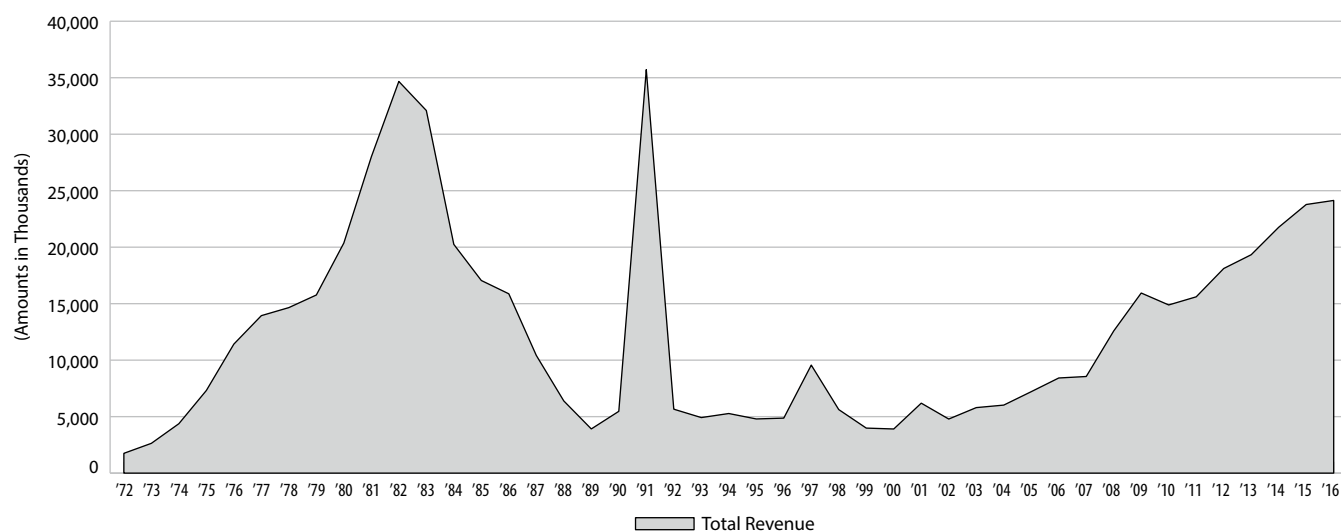
Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 1,752	-	0.07
1973	2,637	50.5	0.10
1974	4,374	65.9	0.14
1975	7,315	67.3	0.22
1976	11,420	56.1	0.29
1977	13,940	22.1	0.32
1978	14,651	5.1	0.29
1979	15,767	7.6	0.29
1980	20,368	29.2	0.32
1981	27,994	37.4	0.36
1982	34,670	23.9	0.40
1983	32,098	(7.4)	0.38
1984	20,247	(36.9)	0.22
1985	17,051	(15.8)	0.16
1986	15,873	(6.9)	0.16
1987	10,418	(34.4)	0.10
1988	6,389	(38.7)	0.05
1989	3,911	(38.8)	0.03
1990	5,469	39.8	0.04
1991 <sup>1</sup>	35,713	553.0	0.24
1992 <sup>1</sup>	5,660	(84.2)	0.04
1993	4,917	(13.1)	0.03
1994	5,276	7.3	0.03
1995	4,795	(9.1)	0.03
1996	4,869	1.6	0.02
1997 <sup>1</sup>	9,562	96.4	0.05
1998	5,623	(41.2)	0.02
1999	3,986	(29.1)	0.02

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
2000	\$ 3,907	(2.0)	0.02
2001 <sup>2</sup>	6,193	58.5	0.02
2002	4,787	(22.7)	0.02
2003	5,799	21.1	0.02
2004	6,021	3.8	0.02
2005	7,210	19.8	0.02
2006	8,421	16.8	0.03
2007	8,553	1.6	0.02
2008	12,586	47.2	0.03
2009	15,943	26.7	0.04
2010	14,886	(6.6)	0.04
2011	15,606	4.8	0.04
2012	18,112	16.1	0.04
2013	19,333	6.7	0.04
2014	21,764	12.6	0.04
2015	23,777	9.3	0.05
2016	24,137	1.5	0.05

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> \$30.7 million, \$0.6 million, and \$3.9 million were moved from protest (Fund 0900) to the Gas Utility Pipeline tax

<sup>2</sup> An audit payment of \$1.1 million was deposited in fiscal 2001



Source(s): Glenn Hegar, Texas Comptroller; Texas Railroad Commission

**GASOLINE TAX**  
**Revenue Object 3007 \***

**RATE & BASE**

<i>State:</i>	20 cents per gallon (eligible transit companies qualify for a refund of 1 cent per gallon)
<i>Local:</i>	None
<i>Federal:</i>	\$0.184 per gallon
<i>Major Exemptions:</i>	Federal government; volunteer fire departments; Texas public school districts; commercial transportation companies and/or certain metropolitan rapid transit authorities providing public school transportation services to a Texas public school district; various off-road uses

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	862 (not including interstate truckers)
<i>Payment Cycle:</i>	Suppliers, permissive suppliers, distributors, importers, exporters, and blenders — monthly; International Fuel Tax Agreement (IFTA) licensees — quarterly; Interstate truckers (except IFTA licensed) — quarterly
<i>Due Date:</i>	Monthly — 25th day of the month for taxes collected during the preceding month Quarterly — 25th (or last for IFTA licensees) day of the month succeeding each calendar quarter
<i>Remitted By:</i>	Suppliers, permissive suppliers, distributors, importers, exporters, blenders, interstate truckers, and IFTA licensees

**LEGAL CITATION(S)**

Texas Tax Code, §§ 162.102, 162.104, 162.105, 162.113, 162.114, 162.125

**ENACTED**

38th Legislature (1923) 1 cent per gallon

**RATE & BASE CHANGES**

47th Legislature (1941) 4 cents per gallon  
54th Legislature (1955) 5 cents per gallon  
67th Legislature (1981) 1 cent rate reduction for certified transit companies (eff. 1/1/82)  
68th Legislature (1984) 10 cents per gallon (eff. 8/1/84)  
69th Legislature (1986) 15 cents per gallon (eff. 1/1/87 to 8/31/87)  
70th Legislature (1987) 15 cents per gallon (eff. 9/1/87)  
72nd Legislature (1991) 20 cents per gallon (eff. 10/1/91)

**ALLOCATION**

After deductions for refunds, administration and enforcement:

Available School Fund 0002 — 25% of balance

State Highway Fund 0006 — 75% of balance less \$7.3 million of which is transferred to the County and Road District Highway Fund 0057

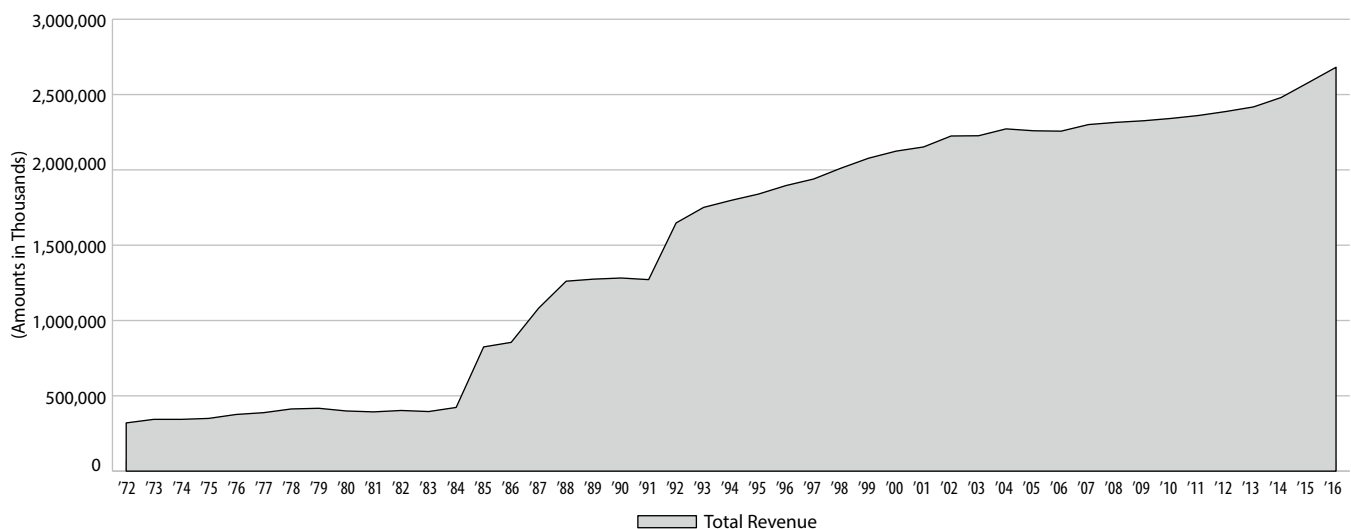
**GASOLINE TAX (concluded)**  
**Revenue Object 3007 \***

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 320,148	-	13.66	2000	\$ 2,124,462	2.3	8.40
1973	343,802	7.4	13.31	2001	2,152,303	1.3	7.90
1974	343,776	(0.0)	11.36	2002	2,224,961	3.4	8.47
1975	350,096	1.8	10.37	2003	2,226,649	0.1	8.52
1976	376,272	7.5	9.61	2004	2,272,227	2.0	8.14
1977	388,224	3.2	8.78	2005	2,259,626	(0.6)	7.57
1978	412,751	6.3	8.20	2006	2,257,053	(0.1)	6.73
1979	417,334	1.1	7.74	2007	2,300,924	1.9	6.23
1980	399,492	(4.3)	6.30	2008	2,315,486	0.6	5.60
1981	393,385	(1.5)	5.08	2009	2,326,135	0.5	6.15
1982	402,718	2.4	4.66	2010	2,341,609	0.7	6.62
1983	395,641	(1.8)	4.66	2011	2,361,141	0.8	6.08
1984	422,868	6.9	4.54	2012	2,387,692	1.1	5.42
1985	824,783	95.0	7.69	2013	2,418,088	1.3	5.06
1986	854,840	3.6	8.35	2014	2,480,229	2.6	4.86
1987	1,082,004	26.6	10.54	2015	2,580,164	4.0	4.99
1988	1,261,049	16.5	10.20	2016	2,681,139	3.9	5.53
1989	1,274,710	1.1	9.88				
1990	1,282,196	0.6	9.41				
1991	1,271,422	(0.8)	8.52				
1992	1,647,796	29.6	10.40				
1993	1,750,983	6.3	10.29				
1994	1,797,653	2.7	9.93				
1995	1,839,661	2.3	9.75				
1996	1,896,146	3.1	9.59				
1997	1,939,426	2.3	9.15				
1998	2,011,653	3.7	8.89				
1999	2,077,536	3.3	8.80				

\* Revenue object code 3655 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections

† No revenue deposited to trust



Source(s): Glenn Hegar, Texas Comptroller

## **GENERAL BUSINESS FILING FEES**

### **Revenue Object 3133**

#### **RATE & BASE**

<i>State:</i>	Various business filing fees imposed on domestic and foreign corporations, partnerships, professional associations, and other business entities
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

#### **ADMINISTRATION**

<i>Agency:</i>	Secretary of State. Additionally, for certain fees: Governor's Office, Bond Review Board, and Texas Commission on Environmental Quality
<i>No. of Fees Collected:</i>	579,990
<i>Payment Cycle:</i>	Various
<i>Due Date:</i>	At time of filing or when service is performed
<i>Remitted By:</i>	Business entities

#### **LEGAL CITATION(S)**

Texas Agriculture Code, §§ 51.023, 55.009, 128.016(b), 128.038, 128.039, 188.016  
Texas Business and Commerce Code, §§ 9.525, 51.008, 71.155, 261.008  
Texas Business Organization Code, §§ 4.151, 4.161  
Texas Code of Criminal Procedures, § 42.22(7a)  
Texas Government Code, §§ 103.022, 1372.006, 2310.110(e), Ch. 489  
Texas Health & Safety Code, § 361.976  
Texas Local Government Code, §§ 501.306, 501.313, 501.352, 501.404  
Texas Property Code, §§ 14.004, 14.005  
Texas Utility Code, §§ 161.055, 161.061, 161.151, 161.202, 161.251, 162.061, 162.080, 162.154, 162.202, 162.204, 162.252, 162.254, 162.301

#### **ENACTED**

14th Legislature (1874) Domestic business  
36th Legislature (1919) Foreign business  
Numerous fees subsequently enacted

#### **RATE & BASE CHANGES**

The history of fee rate and base changes is too extensive to report in the space allotted; see Table 2 and/or chapter entitled, "Legislative Changes and Other Sources of Growth" for major tax and fee legislation

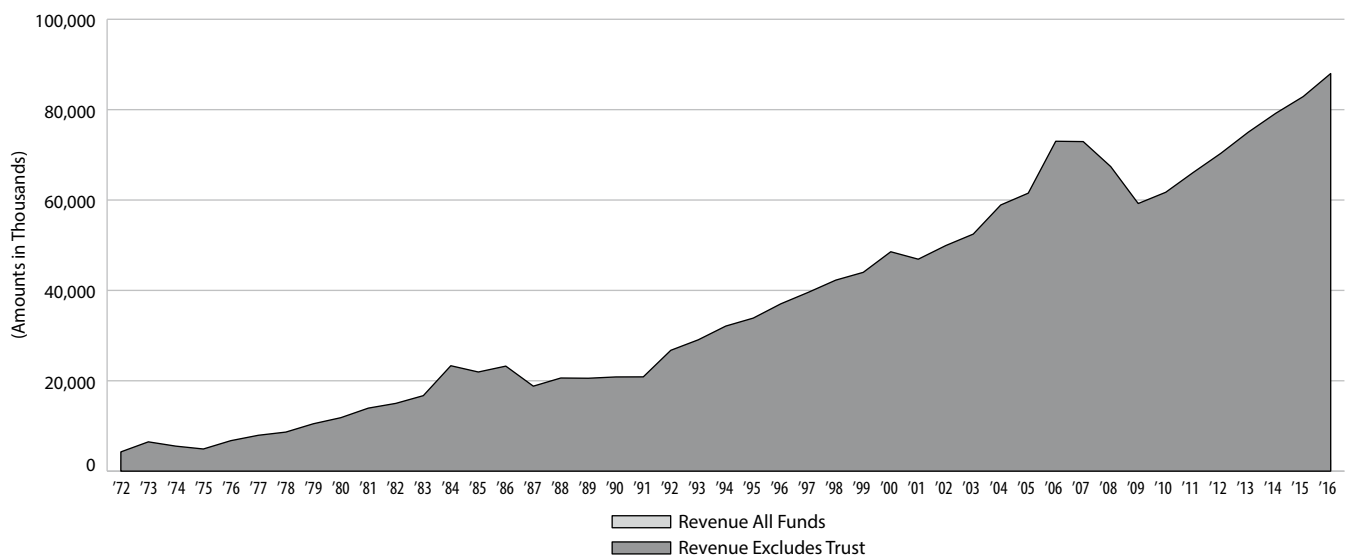
#### **ALLOCATION**

General Revenue Fund 0001 — All other fees  
State Highway Fund 0006 — Motor vehicle restitution liens  
GR Account - Economic Development Bank 5106 — Fees associated with the Texas Economic Development Bank

**GENERAL BUSINESS FILING FEES (concluded)****Revenue Object 3133****NET COLLECTIONS**

(Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 4,266	\$ 4,266	-	0.83	2000	\$ 48,555	\$ 48,555	10.4	0.50
1973	6,489	6,489	52.1	1.14	2001	46,908	46,908	(3.4)	0.44
1974	5,536	5,536	(14.7)	0.80	2002	49,924	49,924	6.4	0.46
1975	4,907	4,907	(11.3)	0.63	2003	52,462	52,462	5.1	0.47
1976	6,750	6,750	37.5	0.75	2004	58,905	58,905	12.3	0.48
1977	7,941	7,941	17.6	0.73	2005	61,520	61,520	4.4	0.47
1978	8,646	8,646	8.9	0.70	2006	73,008	73,008	18.7	0.52
1979	10,488	10,488	21.3	0.80	2007	72,932	72,932	(0.1)	0.46
1980	11,836	11,836	12.9	0.69	2008	67,399	67,399	(7.6)	0.35
1981	13,950	13,950	17.9	0.65	2009	59,227	59,227	(12.1)	0.38
1982	15,001	15,001	7.5	0.64	2010	61,716	61,717	4.2	0.41
1983	16,710	16,710	11.4	0.75	2011	66,099	66,099	7.1	0.39
1984	23,333	23,333	39.6	0.93	2012	70,317	70,317	6.4	0.40
1985	21,944	21,944	(6.0)	0.74	2013	75,004	75,004	6.7	0.40
1986	23,246	23,246	5.9	0.57	2014	79,188	79,188	5.6	0.40
1987	18,809	18,809	(19.1)	0.54	2015	82,895	82,895	4.7	0.39
1988	20,615	20,615	9.6	0.58	2016	87,994	87,994	6.2	0.38
1989	20,562	20,562	(0.3)	0.55					
1990	20,850	20,850	1.4	0.51					
1991	20,868	20,868	0.1	0.48					
1992	26,746	26,746	28.2	0.50					
1993	29,069	29,069	8.7	0.42					
1994	32,108	32,108	10.5	0.40					
1995	33,874	33,875	5.5	0.40					
1996	37,028	37,028	9.3	0.41					
1997	39,572	39,572	6.9	0.42					
1998	42,274	42,274	6.8	0.46					
1999	43,998	43,998	4.1	0.42					



Source(s): Glenn Hegar, Texas Comptroller; Secretary of State; Governor's Office

## HEALTH CARE FACILITIES FEES

### Revenue Object 3557

#### RATE & BASE

<i>State:</i>	Fees for the operation of health care facilities varies depending on type of facility. Including: day activity and health services facilities (\$50 annual renewal); chemical dependency; nursing home (\$375 plus \$15 per bed); hospital; trauma; environmental testing; maternity; continuing care; and others
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

#### ADMINISTRATION

<i>Agency:</i>	Department of State Health Services, Department of Aging and Disability Services, Department of Insurance, Texas Commission on Environmental Quality, Health and Human Services Commission
<i>No. of Fees Collected:</i>	N/A
<i>Payment Cycle:</i>	N/A
<i>Due Date:</i>	Depending on the fee either annually or as determined by the agency
<i>Remitted by:</i>	Health care facilities.

#### LEGAL CITATION(S)

Texas Government Code sec. 487.603, 531.078  
Texas Health and Safety Code sec. 142.010, 142.014, 142.0104, 241.025, 241.104, 242.010, 242.034, 242.0385, 242.040, 242.047, 242.097, 242.039, 242.016, 242.064, 242.309, 242.314, 242.315, 243.007, 243.014, 244.007, 244.014, 245.007, 245.015, 245.017, 246.023, 246.027, 246.058, 251.013, 252.034, 252.0375, 252.202, 254.053, 401.427, 464.007, 773.116  
Texas Human Resources Code sec. 103.007, 103.0075, 103.012  
Texas Attorney General Opinion No. M-1193 (1972)  
Texas Water Code sec. 5.803

#### ENACTED

Various dates depending on the fee

#### RATE & BASE CHANGES

73rd Legislature (1993) Increased hospital fee from \$3 to \$10 per bed  
80th Legislature (2007) Increase adult care fee from \$25 to \$50 and community care facilities fees from between \$300 and \$1,000 to \$600 and \$2,000  
83rd Legislature (2013) Increased nursing home license fees from \$250 to \$375 and the fee per bed from \$10 to \$15

#### ALLOCATION

General Revenue Fund 0001 — All other fees  
Freestanding Emergency Medical Care Facility Licensing Fund 0373 — All fees related to the licensing of freestanding emergency medical care facilities  
Nursing and Convalescent Home Trust Fund 0992 — Fee is \$1 for each licensed unit of capacity or bed space in the home or in amount needed to provide \$10,000,000 in fund, an annual fee for emergency assistance money  
GR — Account Hospital Licensing 0129 — License fees for the “Texas Hospital Licensing Law”  
GR — Account Home Health Services 5018 — Fees related to licensing home and community support service agencies  
GR — Account Certification of Mammography Systems 5021 — all fees related to certification of a mammography system  
GR — Account Environmental Testing Laboratory Accreditation 5065 — All fees related to the accreditation of environmental testing laboratories  
GR — Account Quality Assurance 5080 — Health care facilities quality assurance fee



## HEALTH CARE FACILITIES FEES (concluded)

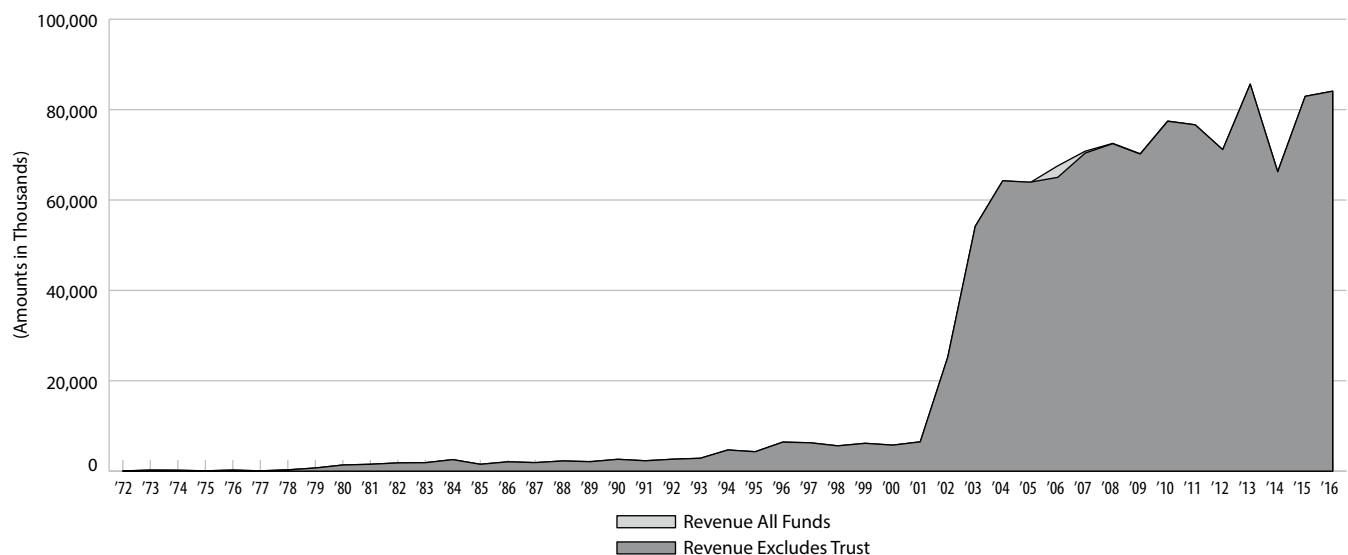
### Revenue Object 3557

### NET COLLECTIONS

(Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 49	\$ 49	-	0.01	2000	\$ 5,758	\$ 5,758	(6.6)	0.06
1973	231	231	374.0	0.04	2001	6,489	6,489	12.7	0.06
1974	198	198	(14.3)	0.03	2002	25,227	25,227	288.8	0.23
1975	75	75	(61.9)	0.01	2003	54,178	54,178	114.8	0.48
1976	234	234	211.4	0.03	2004	64,255	64,255	18.6	0.53
1977	69	69	(70.6)	0.01	2005	63,875	63,951	(0.5)	0.49
1978	290	290	321.2	0.02	2006	67,567	65,023	1.7	0.46
1979	701	701	142.0	0.05	2007	70,810	70,396	8.3	0.44
1980	1,359	1,359	93.8	0.08	2008	72,538	72,466	2.9	0.37
1981	1,525	1,525	12.2	0.07	2009	70,242	70,167	(3.2)	0.45
1982	1,825	1,825	19.7	0.08	2010	77,471	77,438	10.4	0.51
1983	1,873	1,873	2.6	0.08	2011	76,642	76,642	(1.0)	0.45
1984	2,551	2,551	36.2	0.10	2012	71,150	71,150	(7.2)	0.40
1985	1,520	1,520	(40.4)	0.05	2013	85,657	85,650	20.4	0.46
1986	2,065	2,065	35.9	0.05	2014 <sup>1</sup>	66,294	66,243	(22.7)	0.34
1987	1,892	1,892	(8.4)	0.05	2015	82,948	82,948	25.2	0.39
1988	2,256	2,256	19.3	0.06	2016	84,085	84,085	1.4	0.36
1989	2,099	2,099	(7.0)	0.06					
1990	2,622	2,622	24.9	0.06					
1991	2,299	2,299	(12.3)	0.05					
1992	2,644	2,644	15.0	0.05					
1993	2,851	2,851	7.8	0.04					
1994	4,686	4,686	64.4	0.06					
1995	4,300	4,300	(8.2)	0.05					
1996	6,427	6,427	49.5	0.07					
1997	6,281	6,281	(2.3)	0.07					
1998	5,599	5,599	(10.8)	0.06					
1999	6,163	6,163	10.1	0.06					

<sup>1</sup> Freestanding Emergency Medical Care Facilities increased renewals from one to two years.



Source(s): Glenn Hegar, Texas Comptroller

**HEALTH RELATED PROFESSIONAL FEES**  
**Revenue Objects 3562 and 3572**

**RATE & BASE**

<i>State:</i>	Varies by agency and profession
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	See Appendix E
<i>No. of Fees Collected:</i>	N/A
<i>Payment Cycle:</i>	Annual, biennial, or as set by board or commission
<i>Due Date:</i>	May be staggered
<i>Remitted by:</i>	Organizations / agencies governing fee-paying licensees

**LEGAL CITATION(S)**

See Appendix E

**ENACTED**

See Appendix E

**RATE & BASE CHANGES**

70th Legislature (1987) \$110 temporary fee increase on selected professions  
72nd Legislature (1991) \$200 fee increase on selected professions  
78th Legislature (2003) \$200 fee increase on selected professions  
84th Legislature (2015) Repeal \$200 fee increases on selected professions

Note: \$200 fee increases had been deposited to Revenue Object 3572; henceforth to be used only for the \$80 surcharge on doctors

**ALLOCATION**

\$80 surcharge for doctors:  
GR Account – Public Assurance 5105  
Fee for solid waste technicians:  
GR Account – Texas Commission on Environmental Quality Occupational Licensing 0468  
All other health-related professional fees:  
General Revenue Fund 0001

## HEALTH RELATED PROFESSIONAL FEES (concluded)

### Revenue Objects 3562 and 3572

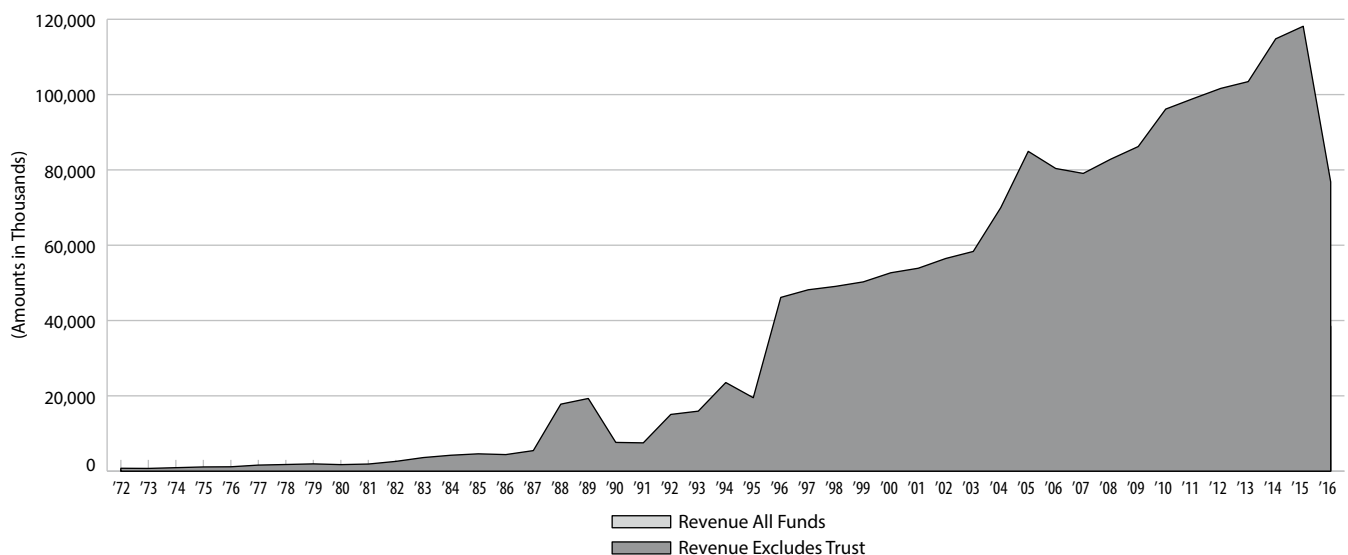
### NET COLLECTIONS

(Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 384	\$ 384	-	0.07	2000	\$ 26,340	\$ 26,340	4.8	0.27
1973	364	364	(5.1)	0.06	2001	26,944	26,944	2.3	0.25
1974	463	463	27.1	0.07	2002	28,239	28,239	4.8	0.26
1975	561	561	21.3	0.07	2003	29,173	29,173	3.3	0.26
1976	581	581	3.5	0.06	2004	34,986	34,986	19.9	0.29
1977	805	805	38.4	0.07	2005	42,464	42,464	21.4	0.32
1978	884	884	9.8	0.07	2006	40,187	40,187	(5.4)	0.28
1979	967	967	9.5	0.07	2007	39,533	39,533	(1.6)	0.25
1980	869	869	(10.2)	0.05	2008	41,426	41,426	4.8	0.21
1981	945	945	8.7	0.04	2009	43,101	43,101	4.0	0.28
1982	1,297	1,297	37.3	0.06	2010	48,075	48,075	11.5	0.32
1983	1,805	1,805	39.2	0.08	2011	49,469	49,469	2.9	0.29
1984	2,113	2,113	17.0	0.08	2012	50,820	50,820	2.7	0.29
1985	2,301	2,301	8.9	0.08	2013	51,723	51,723	1.8	0.28
1986	2,200	2,200	(4.4)	0.05	2014	57,403	57,403	11.0	0.29
1987	2,729	2,729	24.1	0.08	2015	59,072	59,072	2.9	0.28
1988 <sup>1</sup>	8,897	8,897	225.9	0.25	2016	38,404	38,404	(35.0)	0.16
1989	9,652	9,652	8.5	0.26					
1990	3,817	3,817	(60.5)	0.09					
1991	3,758	3,758	(1.5)	0.09					
1992	7,532	7,532	100.4	0.14					
1993	7,968	7,968	5.8	0.11					
1994	11,768	11,768	47.7	0.15					
1995	9,752	9,752	(17.1)	0.12					
1996 <sup>2</sup>	23,070	23,070	136.6	0.25					
1997	24,085	24,082	4.4	0.26					
1998	24,539	24,541	1.9	0.27					
1999	25,132	25,132	2.4	0.24					

<sup>1</sup> Revenue Object codes 3561 and 3565-3567 were used from 1988-1993 and have since expired and are no longer used in calculating the net collections for this revenue source.

<sup>2</sup> Starting in fiscal 1996, the \$200 fee increase on selected professions was recorded using Revenue Object code 3572; \$200 fee increase repealed by the 84th Legislature (2015).



Source(s): Glenn Hegar, Texas Comptroller

## HIGHER EDUCATION TUITION FEES – Non-Pledged

### Revenue Object 3505

#### RATE & BASE

<i>State:</i>	For resident students at general academic teaching institutions: \$50 per semester credit hour. Per semester hour fees for non-resident students are an average based on non-resident public university tuition charged in 5 of the most populous states (except Texas). Fees for semester hour or academic year, for both resident and non-resident students, may differ for programs leading to certain degrees (e.g., coursework leading to an M.D., D.O., D.D.S., D.V.M., or law degree)
<i>Local:</i>	Various
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

#### ADMINISTRATION

<i>Agency:</i>	Texas Higher Education Coordinating Board; state colleges and universities
<i>No. of Fees Collected:</i>	
<i>Payment Cycle:</i>	Per semester
<i>Due Date:</i>	Upon registration
<i>Remitted by:</i>	Students and parents

#### LEGAL CITATION(S)

Texas Education Code, §§ 54.051, 54.0513

#### ENACTED

43rd Legislature (1933)

#### RATE & BASE CHANGES

68th Legislature, 2nd Called Session (1984) Non-resident tuition raised to \$46/credit hour in 1986 and \$53 in 1987  
69th Legislature (1985) Resident tuition to \$12/credit hour in 1986; \$16 in 1987; \$18 in 1990; \$20 in 1992  
72nd Legislature, 1st Called Session (1991) Resident tuition to \$24/credit hour in 1993; \$26 in 1994; \$28 in 1995; \$30 in 1996; \$32 in 1997  
74th Legislature (1995) Resident tuition to \$34/credit hour in 1998; \$36 in 1999; \$38 in 2000; \$40 in 2001; non-resident tuition set at average of non-resident undergrad tuition charged residents of Texas by state universities in the 5 most populous states other than Texas  
77th Legislature (2001) Resident tuition to \$42/credit hour in 2002; \$44 in 2003; \$46 in 2004; \$48 in 2005; \$50 in 2006  
78th Legislature (2003) Amended §54.0513, Education Code, allowing governing boards of institutions to charge any student an amount designated as tuition that the board considers necessary for effective operation of the institution

#### ALLOCATION

Current General Revenue-dedicated operating accounts of the various colleges and universities

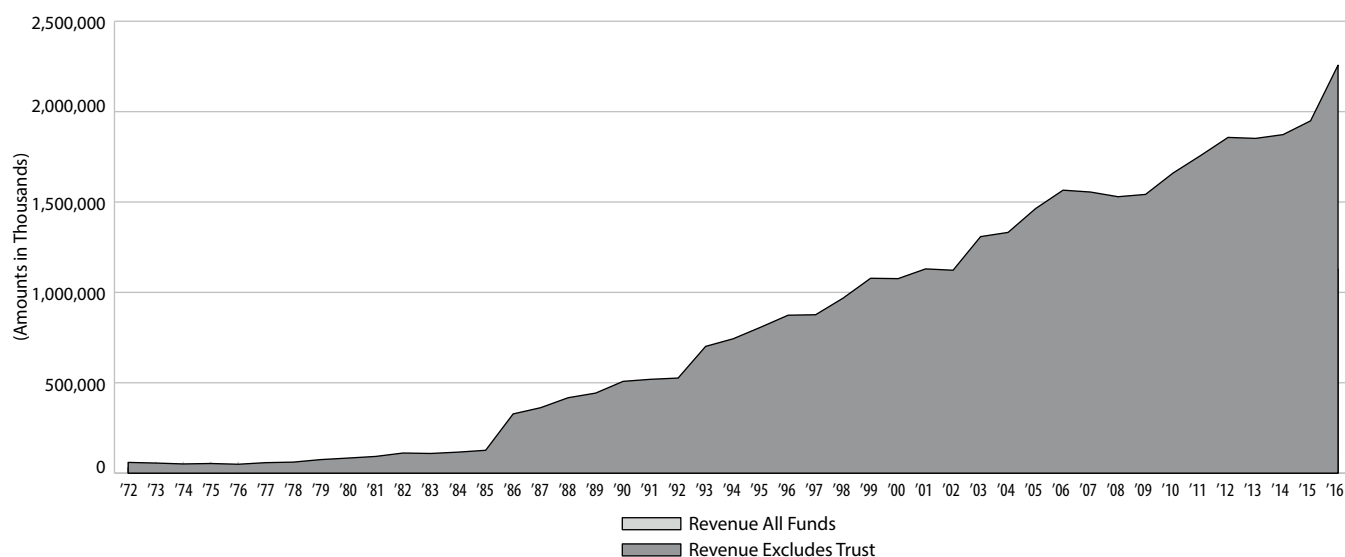
## HIGHER EDUCATION TUITION FEES – Non-Pledged (concluded)

### Revenue Object 3505

### NET COLLECTIONS

(Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 29,984	\$ 29,419	-	5.72	2000	\$ 538,040	\$ 538,040	(0.2)	5.51
1973	28,214	27,610	(6.1)	4.87	2001	564,976	564,976	5.0	5.34
1974	25,765	25,150	(8.9)	3.64	2002	561,304	561,304	(0.6)	5.21
1975	26,976	26,374	4.9	3.38	2003	654,291	654,291	16.6	5.84
1976	24,621	24,621	(6.6)	2.73	2004	665,915	665,915	1.8	5.45
1977	28,990	28,990	17.7	2.67	2005	731,823	731,823	9.9	5.56
1978	30,466	30,466	5.1	2.47	2006	782,735	782,735	7.0	5.53
1979	37,464	37,464	23.0	2.84	2007	777,578	777,578	(0.7)	4.90
1980	41,713	41,713	11.3	2.45	2008	764,623	764,623	(1.7)	3.94
1981	46,237	46,237	10.8	2.16	2009	771,037	771,037	0.8	4.94
1982	55,658	55,658	20.4	2.36	2010	830,167	830,167	7.7	5.49
1983	54,409	54,409	(2.2)	2.44	2011	878,442	878,442	5.8	5.17
1984	58,116	58,116	6.8	2.32	2012	928,720	928,720	5.7	5.26
1985	64,698	61,698	6.2	2.07	2013	925,985	925,985	(0.3)	4.94
1986	163,323	164,316	166.3	4.05	2014	936,458	936,354	1.1	4.76
1987	181,057	181,057	10.2	5.18	2015	974,472	974,472	4.1	4.63
1988	208,624	208,624	15.2	5.91	2016	1,128,525	1,128,525	15.8	4.84
1989	221,425	221,425	6.1	5.97					
1990	255,448	252,361	14.0	6.22					
1991	261,556	257,588	2.1	5.99					
1992	265,470	260,615	1.2	4.84					
1993	351,250	349,944	34.3	5.05					
1994	370,965	372,264	6.4	4.62					
1995	403,588	403,588	8.4	4.80					
1996	436,892	436,892	8.3	4.82					
1997	438,135	438,135	0.3	4.69					
1998	484,181	484,181	10.5	5.24					
1999	539,068	539,068	11.3	5.17					



Source(s): Glenn Hegar, Texas Comptroller; Texas Higher Education Coordinating Board

## **HOTEL OCCUPANCY TAX**

### **Revenue Objects 3138 and 3139**

#### **RATE & BASE**

<i>State:</i>	6% of the room rate paid by occupant
<i>Local:</i>	Cities — not to exceed 7% (up to 9% in special cases); counties — not to exceed 7% (less than 7% or up to 9%, depending on specific circumstances); sports and community venues — not to exceed 2%
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Federal employees, long-term tenants, educational, charitable, and religious organizations

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	11,628
<i>Payment Cycle:</i>	Monthly or quarterly
<i>Due Date:</i>	Monthly — 20th day of the month for the preceding month Quarterly — 20th day of April, July, October, and January for the preceding quarter
<i>Remitted By:</i>	Hotel, motel, and other lodging owners

#### **LEGAL CITATION(S)**

Texas Tax Code, §§ 156.051 - 156.053 (state)  
Texas Tax Code, §§ 351.001 - 351.108 (cities)  
Texas Tax Code, §§ 352.001 - 352.109 (counties)  
Texas Local Government Code, §§ 334.251-334.258 (sports and community venues)

#### **ENACTED**

56th Legislature (1959) 3% (state)  
62nd Legislature (1971) (for cities)  
67th Legislature (1981) (for counties)  
75th Legislature (1997) (for sports and community venues)

#### **RATE & BASE CHANGES**

68th Legislature (1984) 4% (eff. 10/2/84)  
70th Legislature (1987) 6% (eff. 9/1/87)

#### **ALLOCATION**

General Revenue Fund 0001 — 91.67%  
GR - Account Hotel Occupancy Tax for Economic Development 5003 — 8.33%

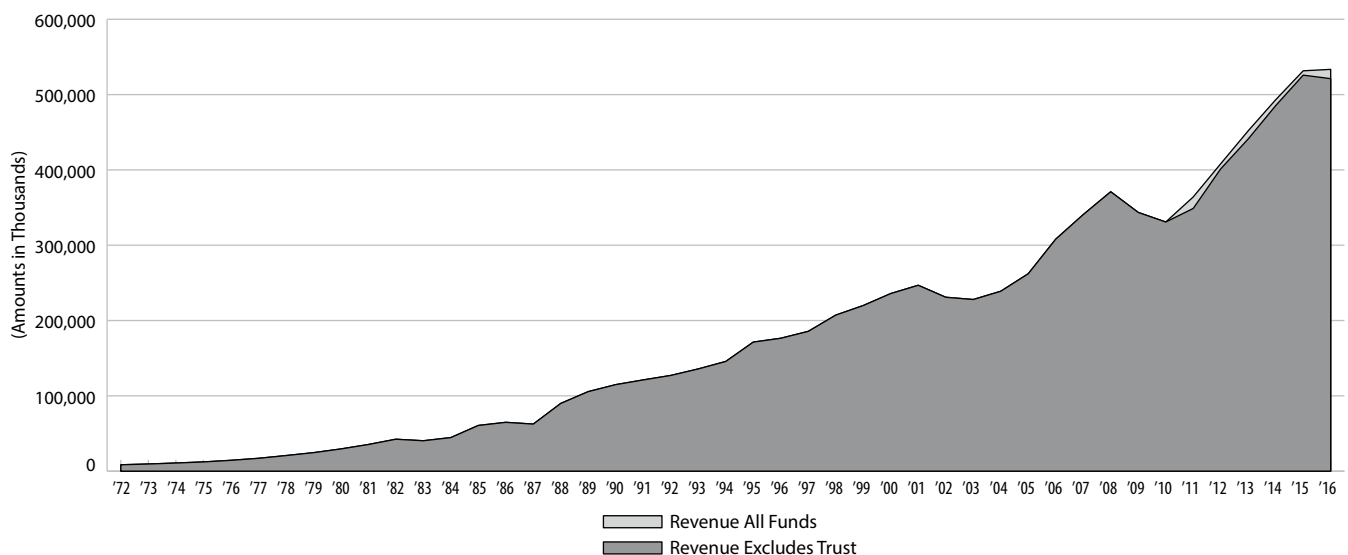
Note: In addition to the above allocations, revenue associated with certain events are deposited to various Events Trust Funds.

Note: Certain eligible coastal municipalities are eligible to receive refunds of state funds, based on their hotel revenue and computed to be equivalent to an amount representative of two percent of the six percent state tax rate, from the General Revenue Fund.

**HOTEL OCCUPANCY TAX (concluded)**  
**Revenue Objects 3138 and 3139**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
1972	\$ 8,482	\$ 8,482	-	0.36	2000	\$ 235,804	\$ 235,804	7.2	0.93
1973	9,483	9,483	11.8	0.37	2001	246,813	246,813	4.7	0.91
1974	10,803	10,803	13.9	0.36	2002	230,909	230,909	(6.4)	0.88
1975	12,236	12,236	13.3	0.36	2003	227,899	227,899	(1.3)	0.87
1976	14,378	14,378	17.5	0.37	2004	238,862	238,862	4.8	0.86
1977	17,020	17,020	18.4	0.39	2005	262,092	262,092	9.7	0.88
1978	20,681	20,681	21.5	0.41	2006	308,019	308,019	17.5	0.92
1979	24,528	24,528	18.6	0.46	2007	340,634	340,634	10.6	0.92
1980	29,478	29,478	20.2	0.46	2008	370,980	370,980	8.9	0.90
1981	35,368	35,368	20.0	0.46	2009	343,544	343,544	(7.4)	0.91
1982	42,397	42,397	19.9	0.49	2010	330,809	330,809	(3.7)	0.94
1983	40,373	40,373	(4.8)	0.48	2011 <sup>1</sup>	364,083	348,796	5.4	0.90
1984	44,563	44,563	10.4	0.48	2012	408,167	401,411	15.1	0.91
1985	60,677	60,677	36.2	0.57	2013	451,944	441,132	9.9	0.92
1986	64,818	64,818	6.8	0.63	2014	493,162	485,385	10.0	0.95
1987	62,498	62,498	(3.6)	0.61	2015	531,573	525,819	8.3	1.02
1988	89,969	89,969	44.0	0.73	2016	533,498	521,153	(0.9)	1.08
1989	105,639	105,639	17.4	0.82	<sup>1</sup> Starting in 2011, the Events Trust Fund, Major Events Reimbursement Program Fund (trust), Special Events Trust Fund (repealed), and the Motor Sports and Racing Trust Fund started receiving certain taxes				
1990	114,889	114,889	8.8	0.84					
1991	121,140	121,140	5.4	0.81					
1992	127,080	127,080	4.9	0.80					
1993	135,735	135,735	6.8	0.80					
1994	145,655	145,655	7.3	0.80					
1995	171,362	171,362	17.6	0.91					
1996	176,456	176,456	3.0	0.89					
1997	185,606	185,606	5.2	0.88					
1998	207,179	207,179	11.6	0.92					
1999	219,917	219,917	6.1	0.93					



Source(s): Glenn Hegar, Texas Comptroller



## INSURANCE MAINTENANCE TAXES — DEPARTMENT OF INSURANCE

### Revenue Object 3203

#### RATE & BASE

<i>State:</i>	Various rates set annually by Texas Department of Insurance, not to exceed legislative caps, on correctly reported gross insurance/annuity premiums or enrollees covered by Health Maintenance Organization (HMO) policies and certificates for the preceding calendar year
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

#### ADMINISTRATION

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	2,626
<i>Payment Cycle:</i>	Annually
<i>Due Date:</i>	March 1st
<i>Remitted by:</i>	Insurance companies, HMOs, burial associations, non-profit legal services, third party administrators, and certified self-insurers

#### LEGAL CITATION(S)

Texas Insurance Code, §§ 251.001, 252.001-002, 253.001-002, 254.001-002, 255.001-002, 256.001-002, 258.002-003, 259.002-003, 260.001-002, 261.002-003, 271.002-005, 888.051, 964.068

#### ENACTED

36th Legislature (1920) Fire and catastrophe insurance

#### RATE & BASE CHANGES

40th Legislature (1927) Motor vehicle insurance added  
41st Legislature (1929) Title insurance added  
45th Legislature (1937) Workers' compensation insurance added  
49th Legislature (1945) General casualty insurance added  
50th Legislature (1947) Burial associations added  
64th Legislature (1975) Prepaid legal added (eff. 9/1/75); HMOs added (eff. 12/1/75)  
66th Legislature (1979) Aircraft added (eff. 6/7/79); HMOs removed (eff. 6/13/79)  
70th Legislature (1987) Life, Accident, and Health (LAH) and HMOs added (eff. 8/31/87)  
70th Legislature, 2nd Called Session (1987) Third party administrators added (eff. 10/20/87)  
78th Legislature (2003) Certified self-insurer groups added (eff. 9/1/03)  
80th Legislature (2007) Workers' compensation third-party administrators added (eff. 1/1/08)  
83rd Legislature (2013) Captive insurance companies added  
84th Legislature (2015) First \$3.05 million of total annual maintenance tax revenue to new Floodplain Management Fund 0330; remainder to GR – Account Department of Insurance Operating 0036

NOTE: Prior to 1994, this revenue code was used for maintenance taxes collected by the Workers Compensation Commission (WCC) and Workers Compensation Research and Oversight Counsel only. From 1994 to 1995, this code was used for all maintenance taxes collected. Beginning in 1996, some workers compensation taxes were moved to separate Revenue Object codes (3219, 3220). This revenue code now accounts for all other insurance maintenance taxes

#### ALLOCATION

Fiscal Years 2016 and 2017

Disaster Contingency Fund 0453 — first \$3.05 million in total annual maintenance tax revenue;

Fiscal Year 2018 and after

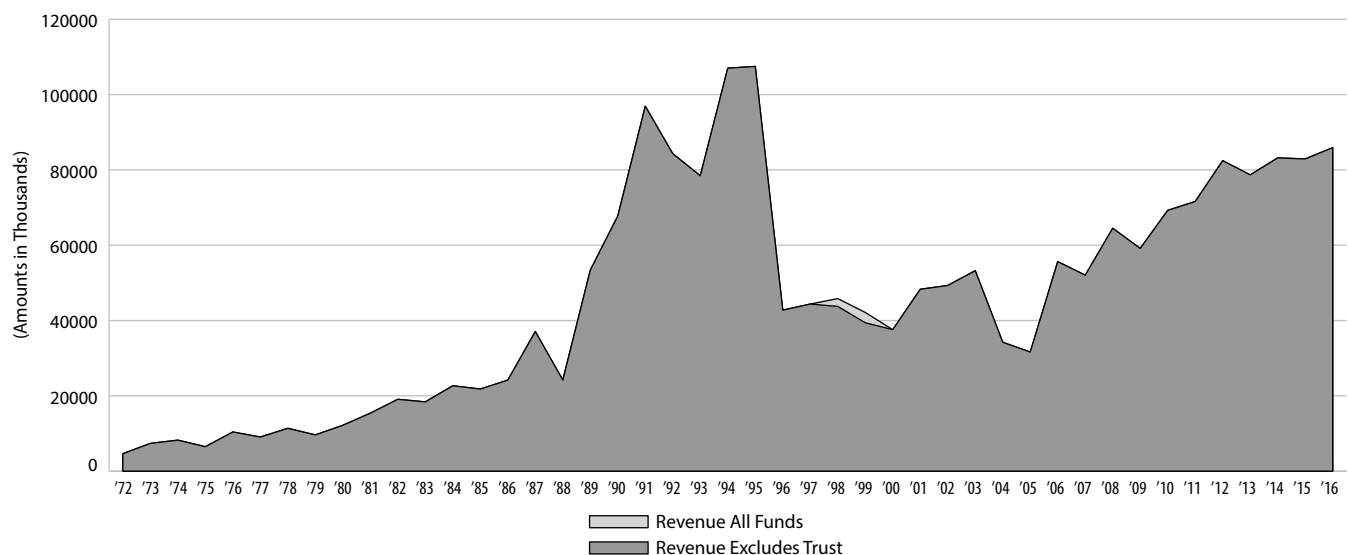
Floodplain Management Fund 0330 — first \$3.05 million in total annual maintenance tax revenue;

GR – Account Department of Insurance Operating 0036 — remainder

**INSURANCE MAINTENANCE TAXES — DEPARTMENT OF INSURANCE (concluded)**  
**Revenue Object 3203 \***

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
1972	\$ 4,637	\$ 4,637	-	0.20	2000	\$ 37,575	\$ 37,575	(4.7)	0.15
1973	7,364	7,364	58.8	0.29	2001	48,296	48,296	28.5	0.18
1974	8,237	8,237	11.9	0.27	2002	49,308	49,308	2.1	0.19
1975	6,487	6,487	(21.2)	0.19	2003	53,237	53,237	8.0	0.20
1976	10,402	10,402	60.3	0.27	2004	34,230	34,230	(35.7)	0.12
1977	9,057	9,057	(12.9)	0.20	2005	31,629	31,629	(7.6)	0.11
1978	11,371	11,371	25.5	0.23	2006	55,637	55,637	75.9	0.17
1979	9,622	9,622	(15.4)	0.18	2007	52,039	52,039	(6.5)	0.14
1980	12,181	12,181	26.6	0.19	2008	64,500	64,500	23.9	0.16
1981	15,392	15,392	26.4	0.20	2009	59,139	59,139	(8.3)	0.16
1982	19,079	19,079	24.0	0.22	2010	69,257	69,257	17.1	0.20
1983	18,389	18,389	(3.6)	0.22	2011	71,599	71,599	3.4	0.18
1984	22,672	22,672	23.3	0.24	2012	82,453	82,453	15.2	0.19
1985	21,802	21,802	(3.8)	0.20	2013	78,669	78,669	(4.6)	0.16
1986	24,171	24,171	10.9	0.24	2014	83,188	83,188	5.7	0.16
1987	37,082	37,082	53.4	0.36	2015	82,911	82,911	(0.3)	0.16
1988	24,188	24,188	(34.8)	0.20	2016	85,903	85,903	3.6	0.18
1989	53,372	53,372	120.6	0.41	* Revenue Object code 3671 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections † No revenue deposited to trust				
1990	67,751	67,751	26.9	0.50					
1991	96,901	96,901	43.0	0.65					
1992	84,293	84,293	(13.0)	0.53					
1993	78,447	78,447	(6.9)	0.46					
1994	107,009	107,009	36.4	0.59					
1995	107,475	107,475	0.4	0.57					
1996	42,747	42,747	(60.2)	0.22					
1997	44,380	44,380	3.8	0.21					
1998	45,828	43,751	(1.4)	0.19					
1999	42,155	39,414	(9.9)	0.17					



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Insurance

**INSURANCE MAINTENANCE TAX — WORKERS' COMPENSATION DIVISION  
AND OFFICE OF INJURED EMPLOYEE COUNSEL  
Revenue Object 3219**

**RATE & BASE**

<i>State:</i>	A rate set annually by the Texas Department of Insurance, not to exceed 2% of the correctly reported gross workers' compensation insurance premiums for the preceding calendar year
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	296 insurance companies and 6 self-insurers
<i>Payment Cycle:</i>	Annually
<i>Due Date:</i>	March 1st — for policies issued in the preceding calendar year (insurance companies); 60th day following initial certification or annual renewal (self-insurers)
<i>Remitted by:</i>	Insurance companies writing workers' compensation insurance and workers' compensation self-insurers

**LEGAL CITATION(S)**

Texas Labor Code, §§ 403.001-.003, 403.007, 407.103-.104, 407A.302

**ENACTED**

55th Legislature (1957) 0.25% (eff. 9/1/57)

**RATE & BASE CHANGES**

62nd Legislature (1971) Self-insurers added to base (eff. 9/1/71)  
65th Legislature (1977) 0.45% (eff. 8/29/77)  
69th Legislature (1985) Not to exceed 0.70% (eff. 9/1/85)  
71st Legislature (1989) Rate set annually, not to exceed 2% (eff. 4/1/90)

NOTE: For 1978-95, this tax was collected under object code 3203. After 1995 object code 3219 was used.

**ALLOCATION**

GR – Account Department of Insurance Operating 0036 — 100%

**INSURANCE MAINTENANCE TAX — WORKERS' COMPENSATION DIVISION  
AND OFFICE OF INJURED EMPLOYEE COUNSEL (concluded)  
Revenue Object 3219**

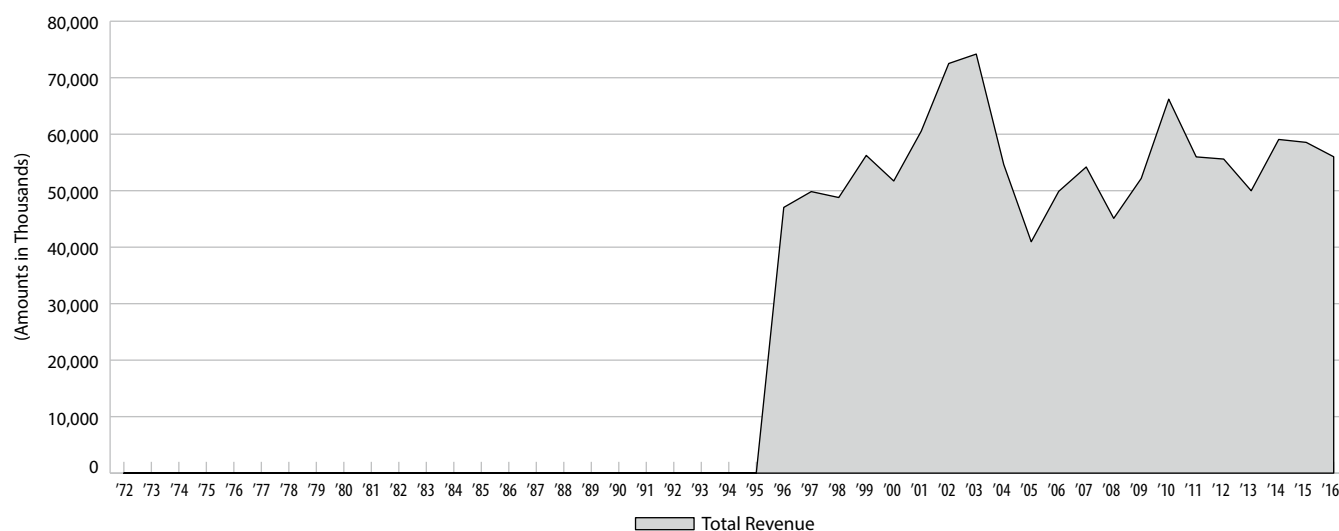
**NET COLLECTIONS**

(Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 0	-	0.00	2000	\$ 51,718	(8.1)	0.20
1973	0	-	0.00	2001	60,547	17.1	0.22
1974	0	-	0.00	2002	72,518	19.8	0.28
1975	0	-	0.00	2003	74,188	2.3	0.28
1976	0	-	0.00	2004	54,638	(26.4)	0.20
1977	0	-	0.00	2005	40,963	(25.0)	0.14
1978	0	-	0.00	2006	49,884	21.8	0.15
1979	0	-	0.00	2007	54,196	8.6	0.15
1980	0	-	0.00	2008	45,101	(16.8)	0.11
1981	0	-	0.00	2009	52,170	15.7	0.14
1982	0	-	0.00	2010	66,207	26.9	0.19
1983	0	-	0.00	2011	55,984	(15.4)	0.14
1984	0	-	0.00	2012	55,599	(0.7)	0.13
1985	0	-	0.00	2013	49,988	(10.1)	0.10
1986	0	-	0.00	2014	59,071	18.2	0.12
1987	0	-	0.00	2015	58,554	(0.9)	0.11
1988	0	-	0.00	2016	56,006	(4.4)	0.12
1989	0	-	0.00				
1990	0	-	0.00				
1991	0	-	0.00				
1992	0	-	0.00				
1993	0	-	0.00				
1994	0	-	0.00				
1995	0	-	0.00				
1996 <sup>1</sup>	47,042	-	0.24				
1997	49,841	5.9	0.24				
1998	48,790	(2.1)	0.22				
1999	56,247	15.3	0.24				

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> Prior to 1996 this revenue was deposited in object code 3203.



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Insurance

## **INSURANCE PREMIUM TAXES**

### **Revenue Object 3201 \***

#### **RATE & BASE**

<i>State:</i>	Tax levied on gross premiums written in Texas: Accident and health insurance — 1.75% Licensed captive insurers — 0.5% on premium written regardless of risk location, minimum tax of \$7,500 and maximum tax of \$200,000 Life insurance and health maintenance organizations — 0.875% of the first \$450,000 in premiums or receipts and 1.75% on amounts in excess of \$450,000 Property and casualty insurance — 1.6%; Retaliatory tax — applicable to foreign insurers only if insurance taxes and fees imposed by another state on Texas insurers exceed insurance taxes and fees imposed by Texas on the foreign insurer Title insurance — 1.35%; Unauthorized, independently procured, and surplus lines — 4.85%
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Certain Medicare premiums, public employee group coverage, crop insurance premiums reinsured by the Federal Crop Insurance Corporation (FCIC)

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	10,778
<i>Payment Cycle:</i>	Estimated liability prepaid semiannually; annual report filed March 1st for actual premium tax
<i>Due Date:</i>	Tax reports: Annually — March 1st (independently procured due annually on May 15th) Payments: semiannually — March 1st and August 1st (independently procured due annually on May 15th)
<i>Remitted By:</i>	Insurance companies, Health Maintenance Organizations (HMOs), surplus lines agents, independent procurers, and buyers (or their agents) who procure insurance from entities out of state or unlicensed in Texas

#### **LEGAL CITATION(S)**

Texas Insurance Code, §§ 221.002, 222.002-003, 223A.003, 224.002, 225.004, 226.003, 226.053, 281.004  
Texas Labor Code, § 407A.304

#### **ENACTED**

Pre 1907: Insurance companies assessed a flat \$50 annual tax  
30th Legislature (1907) Foreign life, accident, and health  
32nd Legislature (1911) Fire, casualty, and other  
44th Legislature (1936) Texas life, accident, and health  
70th Legislature (1987) Title separated from property and casualty  
78th Legislature (2003) Certified self-insurer groups, CHIP and Medicaid HMOs, CAPCO premium tax credits for 2009-12  
80th Legislature (2007) CAPCO premium tax credits for 2013-2016  
83rd Legislature (2013) Captive insurance companies

#### **RATE & BASE CHANGES**

See Appendix F

#### **ALLOCATION**

General Revenue Fund 0001 — 75%  
GR Account - Foundation School 0193 — 25%

## INSURANCE PREMIUM TAXES (concluded)

### Revenue Object 3201 \*

### NET COLLECTIONS

(Amounts in Thousands)

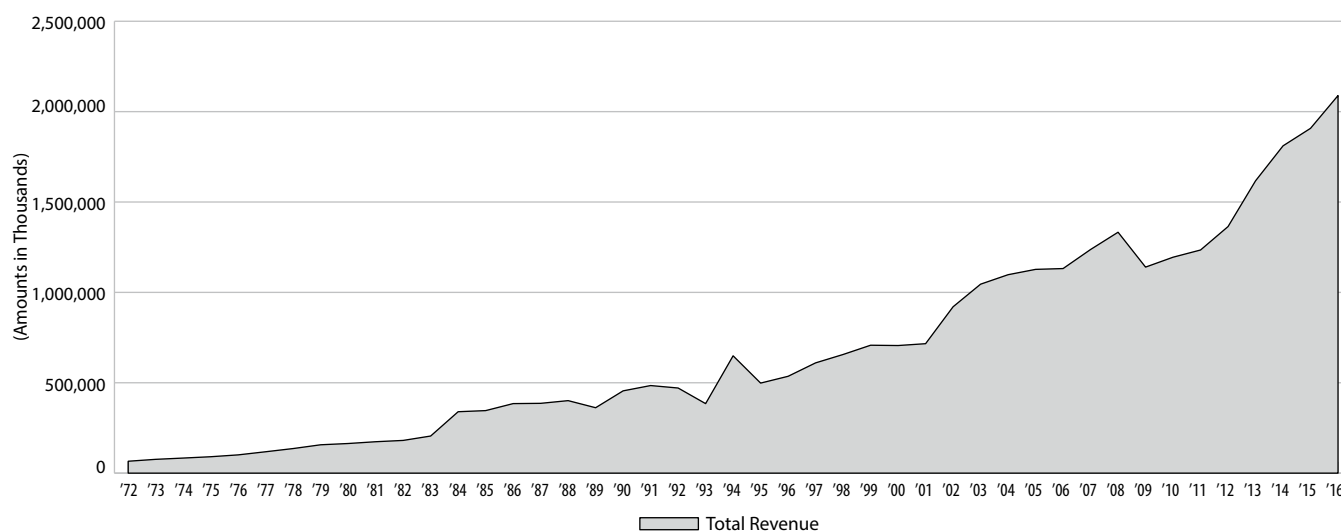
Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 65,854	-	2.81	2000	\$ 706,000	(0.2)	2.79
1973	76,382	16.0	2.96	2001	716,169	1.4	2.63
1974	83,414	9.2	2.76	2002	920,367	28.5	3.50
1975	90,795	8.8	2.69	2003	1,045,413	13.6	4.00
1976	101,045	11.3	2.58	2004	1,097,834	5.0	3.93
1977	118,302	17.1	2.68	2005	1,127,326	2.7	3.78
1978	136,062	15.0	2.70	2006	1,131,800	0.4	3.37
1979	156,881	15.3	2.91	2007	1,237,240	9.3	3.35
1980	163,926	4.5	2.58	2008	1,332,848	7.7	3.22
1981	173,774	6.0	2.24	2009 <sup>2</sup>	1,139,851	(14.5)	3.01
1982	181,037	4.2	2.09	2010	1,194,611	4.8	3.38
1983	205,304	13.4	2.42	2011	1,234,522	3.3	3.18
1984	339,788	65.5	3.65	2012	1,364,172	10.5	3.09
1985	345,955	1.8	3.23	2013	1,617,191	18.5	3.38
1986	384,716	11.2	3.76	2014	1,810,738	12.0	3.55
1987	386,175	0.4	3.76	2015	1,907,673	5.4	3.69
1988	401,134	3.9	3.24	2016	2,088,988	9.5	4.31
1989	361,936	(9.8)	2.80				
1990	455,285	25.8	3.34				
1991	484,583	6.4	3.25				
1992	470,931	(2.8)	2.97				
1993 <sup>1</sup>	384,530	(18.3)	2.26				
1994 <sup>1</sup>	649,054	68.8	3.58				
1995	498,195	(23.2)	2.64				
1996	535,804	7.5	2.71				
1997	610,050	13.9	2.88				
1998	656,434	7.6	2.90				
1999	707,665	7.8	3.00				

\* Revenue object code 3654 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> \$73.9 million collected in fiscal 1993 was not processed until fiscal 1994; fiscal 1994 also includes \$105 million in speed-up

<sup>2</sup> Includes a \$48.7 million deduction for CAPCO premium tax credits (HB 2425)



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Insurance

**LIQUOR TAX**  
**Revenue Object 3253**

**RATE & BASE**

<i>State:</i>	\$2.40 per gallon
<i>Local:</i>	None
<i>Federal:</i>	\$13.50 per proof gallon
<i>Major Exemptions:</i>	Federal military facility sales

**ADMINISTRATION**

<i>Agency:</i>	Texas Alcoholic Beverage Commission
<i>Number of Taxpayers:</i>	216
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	15th day of the month for the preceding month
<i>Remitted By:</i>	Liquor wholesalers

**LEGAL CITATION(S)**

Texas Alcoholic Beverage Code, § 201.03 (the “Distilled Spirits” tax)

**ENACTED**

44th Legislature (1935) \$0.80 per gallon

**RATE & BASE CHANGES**

44th Legislature (1936) \$0.96 per gallon  
47th Legislature (1941) \$1.28 per gallon  
51st Legislature (1950) \$1.408 per gallon (temporary)  
52nd Legislature (1951) \$1.408 per gallon  
56th Legislature (1959) \$1.68 per gallon  
62nd Legislature (1971) \$2 per gallon  
68th Legislature (1984) \$2.40 per gallon (eff. 10/2/84)

**ALLOCATION**

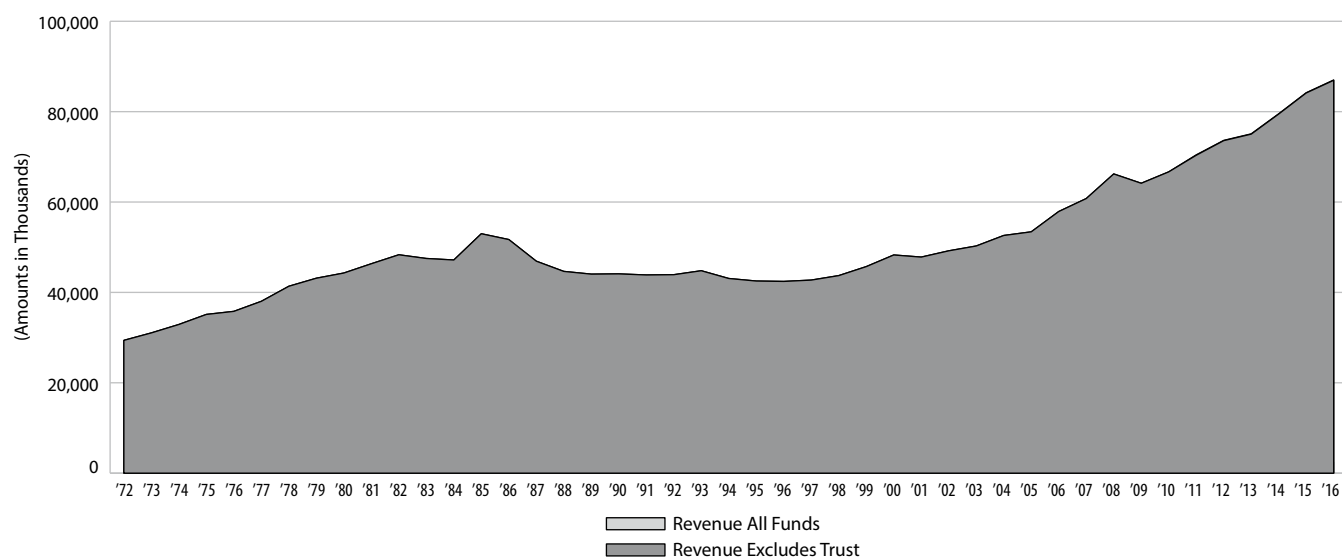
General Revenue Fund 0001 and/or certain Events Trust Funds — 100%



**LIQUOR TAX (concluded)**  
**Revenue Object 3253**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
1972	\$ 29,388	\$ 29,388	-	1.25	2000	\$ 48,281	\$ 48,281	5.6	0.19
1973	31,038	31,038	5.6	1.20	2001	47,813	47,813	(1.0)	0.18
1974	32,901	32,901	6.0	1.09	2002	49,201	49,201	2.9	0.19
1975	35,125	35,125	6.8	1.04	2003	50,271	50,271	2.2	0.19
1976	35,804	35,804	1.9	0.91	2004	52,595	52,595	4.6	0.19
1977	38,026	38,026	6.2	0.86	2005	53,403	53,403	1.5	0.18
1978	41,359	41,359	8.8	0.82	2006	57,897	57,897	8.4	0.17
1979	43,139	43,139	4.3	0.80	2007	60,763	60,763	4.9	0.16
1980	44,286	44,286	2.7	0.70	2008	66,214	66,214	9.0	0.16
1981	46,339	46,339	4.6	0.60	2009	64,149	64,149	(3.1)	0.17
1982	48,327	48,327	4.3	0.56	2010	66,671	66,671	3.9	0.19
1983	47,506	47,506	(1.7)	0.56	2011 <sup>1</sup>	70,439	70,347	5.5	0.18
1984	47,171	47,171	(0.7)	0.51	2012	73,642	73,584	4.6	0.17
1985	52,981	52,981	12.3	0.49	2013	75,091	75,023	2.0	0.16
1986	51,695	51,695	(2.4)	0.51	2014	79,530	79,474	5.9	0.16
1987	46,906	46,906	(9.3)	0.46	2015	84,185	84,133	5.9	0.16
1988	44,647	44,647	(4.8)	0.36	2016	87,010	86,942	3.3	0.18
1989	44,042	44,042	(1.4)	0.34	<sup>1</sup> Starting in 2011, the Events Trust Fund, Major Events Reimbursement Program Fund (trust), Special Events Trust Fund (repealed), and the Motor Sports and Racing Trust Fund started receiving alcoholic beverage taxes				
1990	44,097	44,097	0.1	0.32					
1991	43,857	43,857	(0.5)	0.29					
1992	43,918	43,918	0.1	0.28					
1993	44,795	44,795	2.0	0.26					
1994	43,079	43,079	(3.8)	0.24					
1995	42,514	42,514	(1.3)	0.23					
1996	42,430	42,430	(0.2)	0.21					
1997	42,725	42,725	0.7	0.20					
1998	43,717	43,717	2.3	0.19					
1999	45,708	45,708	4.6	0.19					



Source(s): Glenn Hegar, Texas Comptroller; Texas Alcoholic Beverage Commission

**LOTTERY PROCEEDS**  
**Transfer Object 3922 and 3963**

**RATE & BASE**

<i>State:</i>	\$1 to \$50 per instant game ticket; \$0.50 to \$2 per ticket for draw games (e.g., MegaMillions or Powerball)
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Texas Lottery Commission
<i>Number of Retailers:</i>	17,000+
<i>Payment Cycle:</i>	Weekly
<i>Due Date:</i>	Each Wednesday
<i>Remitted by:</i>	Retailers

**LEGAL CITATION(S)**

Texas Government Code, Chapters 466 and 467

**ENACTED**

72nd Legislature, 1st C.S. (1991)

**RATE & BASE CHANGES**

None

**ALLOCATION**

Gross lottery sales by retailers (fiscal year 2016) of \$5.07 billion (source: Texas Lottery Commission)  
less prizes (in recent years averaging 64-65%) less administration, and other expenses (including retailer commissions)

Fiscal year 2016 net proceeds to State (source: Comptroller, Annual Cash Report 2016):

Associated with net game proceeds — \$1.316 billion  
GR Account - Foundation School 0193 — \$1.304 billion  
Veterans Assistance Fund 0368 — \$12.5 million  
Allocated Unclaimed Prizes — \$81.9 million

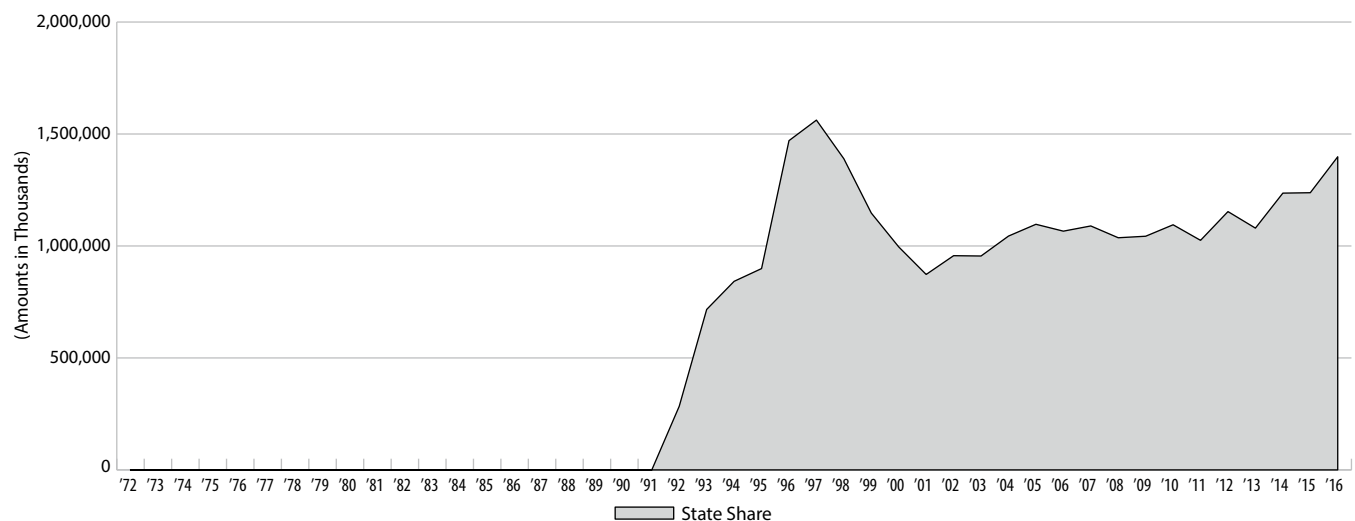
Unclaimed prize money (up to \$20 million) appropriated to State Owned Multicategorical Teaching Hospital Account 5049 Teaching Hospital; then appropriated (up to \$5 million) to Health and Human Services Commission; then deposited (up to \$5 million) to Fund for Veterans Assistance Fund 0368; remainder of \$75.8 million to GR Account - Foundation School 0193

**LOTTERY PROCEEDS (concluded)**  
**Transfer Object 3922 and 3963**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	State Share	Prizes, Admin- istration, and Other	Gross Ticket Sales	Percent Change	Percent of Other Revenue	Year	State Share	Prizes, Admin- istration, and Other	Gross Ticket Sales	Percent Change	Percent of Other Revenue
1972	\$ 0	\$ 0	\$ 0	-	0.00	2000	\$ 995,787	\$ 1,661,504	\$ 2,657,290	3.3	10.20
1973	0	0	0	-	0.00	2001	872,791	1,952,507	2,825,298	6.3	8.25
1974	0	0	0	-	0.00	2002	956,587	2,009,675	2,966,262	5.0	8.88
1975	0	0	0	-	0.00	2003	955,186	2,175,507	3,130,693	5.5	8.52
1976	0	0	0	-	0.00	2004	1,044,135	2,443,789	3,487,925	11.4	8.54
1977	0	0	0	-	0.00	2005	1,096,823	2,565,640	3,662,463	5.0	8.33
1978	0	0	0	-	0.00	2006	1,066,138	2,708,548	3,774,686	3.1	7.53
1979	0	0	0	-	0.00	2007	1,089,393	2,684,786	3,774,179	(0.0)	6.87
1980	0	0	0	-	0.00	2008	1,036,682	2,634,796	3,671,478	(2.7)	5.35
1981	0	0	0	-	0.00	2009	1,043,494	2,676,620	3,720,114	1.3	6.69
1982	0	0	0	-	0.00	2010	1,094,623	2,643,747	3,738,369	0.5	7.23
1983	0	0	0	-	0.00	2011	1,025,094	2,786,176	3,811,270	2.0	6.04
1984	0	0	0	-	0.00	2012	1,153,561	3,037,255	4,190,816	10.0	6.53
1985	0	0	0	-	0.00	2013	1,079,722	3,296,564	4,376,286	4.4	5.76
1986	0	0	0	-	0.00	2014	1,235,981	3,148,616	4,384,597	0.2	6.28
1987	0	0	0	-	0.00	2015	1,237,769	3,291,932	4,529,700	3.3	5.88
1988	0	0	0	-	0.00	2016	1,398,340	3,669,178	5,067,518	11.9	5.99
1989	0	0	0	-	0.00						
1990	0	0	0	-	0.00						
1991	0	0	0	-	0.00						
1992 <sup>1</sup>	284,277	307,294	591,571	-	5.28						
1993	716,546	1,139,545	1,856,091	213.8	10.34						
1994	842,083	1,918,135	2,760,217	48.7	10.46						
1995	899,061	2,137,457	3,036,517	10.0	10.68						
1996	1,470,375	1,961,934	3,432,309	13.0	16.21						
1997	1,562,073	2,183,396	3,745,469	9.1	16.74						
1998	1,389,446	1,700,586	3,090,032	(17.5)	15.05						
1999	1,146,962	1,424,638	2,571,600	(16.8)	11.00						

<sup>1</sup> Partial year: instant game ticket sales began May 29, 1992



Source(s): Glenn Hegar, Texas Comptroller; Texas Lottery Commission

**MALT LIQUOR (ALE) TAX**  
**Revenue Object 3265**

**RATE & BASE**

<i>State:</i>	\$0.198 per gallon
<i>Local:</i>	None
<i>Federal:</i>	\$18.00 per 31-gallon barrel (\$0.58 per gallon)
<i>Major Exemptions:</i>	Federal military facility sales

**ADMINISTRATION**

<i>Agency:</i>	Texas Alcoholic Beverage Commission
<i>Number of Taxpayers:</i>	475 (note: including brew pubs)
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	15th day of the month for the preceding month
<i>Remitted By:</i>	Malt liquor (ale) wholesalers

**LEGAL CITATION(S)**

Texas Alcoholic Beverage Code, § 201.42 (the “Ale and Malt Liquor” tax)

**ENACTED**

44th Legislature (1935) \$0.15 per gallon

**RATE & BASE CHANGES**

52nd Legislature (1951) \$0.165 per gallon  
68th Legislature (1984) \$0.198 per gallon (eff. 10/02/84)

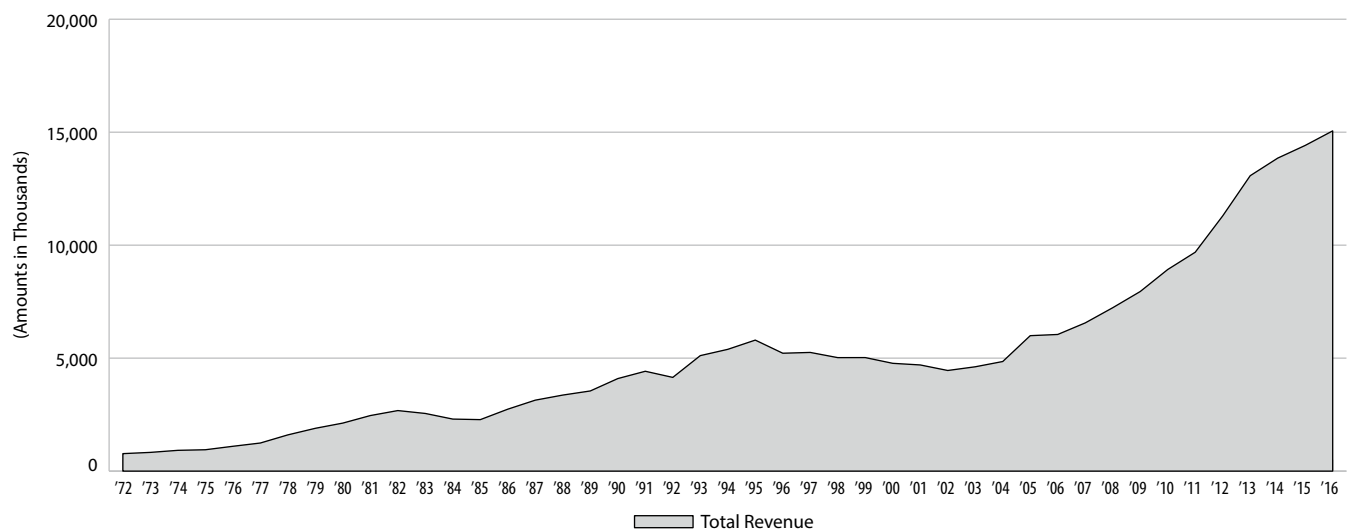
**ALLOCATION**

General Revenue Fund 0001 — 100%

**MALT LIQUOR (ALE) TAX (concluded)**  
**Revenue Object 3265**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 774	-	0.03	2000	\$ 4,771	(5.1)	0.02
1973	829	7.2	0.03	2001	4,699	(1.5)	0.02
1974	920	10.9	0.03	2002	4,454	(5.2)	0.02
1975	946	2.8	0.03	2003	4,618	3.7	0.02
1976	1,099	16.2	0.03	2004	4,851	5.1	0.02
1977	1,244	13.2	0.03	2005	5,995	23.6	0.02
1978	1,604	28.9	0.03	2006	6,048	0.9	0.02
1979	1,895	18.2	0.04	2007	6,560	8.5	0.02
1980	2,126	12.2	0.03	2008	7,232	10.2	0.02
1981	2,459	15.6	0.03	2009	7,949	9.9	0.02
1982	2,680	9.0	0.03	2010	8,923	12.3	0.03
1983	2,552	(4.8)	0.03	2011	9,688	8.6	0.02
1984	2,303	(9.8)	0.02	2012	11,297	16.6	0.03
1985	2,279	(1.0)	0.02	2013	13,075	15.7	0.03
1986	2,742	20.3	0.03	2014	13,853	5.9	0.03
1987	3,141	14.6	0.03	2015	14,415	4.1	0.03
1988	3,366	7.1	0.03	2016	15,059	4.5	0.03
1989	3,548	5.4	0.03	† No revenue deposited to trust			
1990	4,096	15.4	0.03				
1991	4,420	7.9	0.03				
1992	4,148	(6.2)	0.03				
1993	5,112	23.3	0.03				
1994	5,390	5.4	0.03				
1995	5,799	7.6	0.03				
1996	5,218	(10.0)	0.03				
1997	5,253	0.7	0.02				
1998	5,023	(4.4)	0.02				
1999	5,025	0.0	0.02				



Source(s): Glenn Hegar, Texas Comptroller; Texas Alcoholic Beverage Commission

**MANUFACTURED HOUSING SALES AND USE TAX**  
**Revenue Object 3104**

**RATE & BASE**

<i>State:</i>	5% of 65% or .0325 of sales price on the initial sale or use of a new manufactured home
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Sales to governments, certain non-profit entities

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	30
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	On or before the last day of the month for the preceding month
<i>Remitted By:</i>	Manufacturers

**LEGAL CITATION(S)**

Texas Tax Code, §§ 158.051, 158.052, 158.057, 158.058, 158.101

**ENACTED**

67th Legislature (1981) 6.5% of 65% of manufacturer's selling price from 3/1/82 to 8/31/83; 5% of 65%, beginning 9/1/83

**RATE & BASE CHANGES**

None

**ALLOCATION**

General Revenue Fund 0001 — 100%

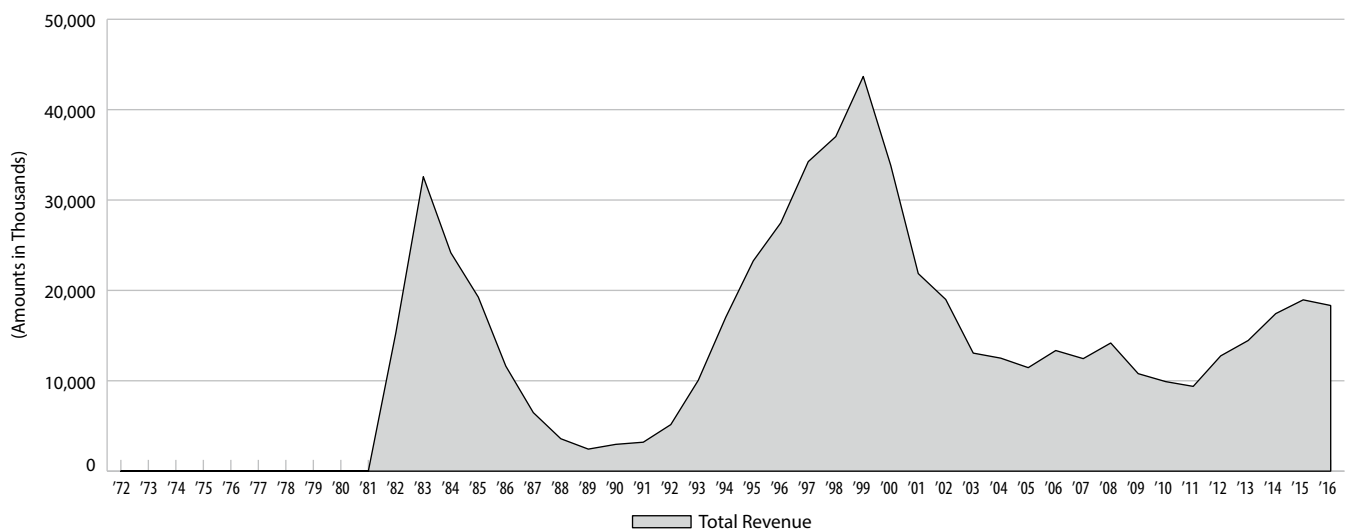
**MANUFACTURED HOUSING SALES AND USE TAX (concluded)**  
**Revenue Object 3104**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 0	-	0.00	2000	\$ 33,829	(22.5)	0.13
1973	0	-	0.00	2001	21,862	(35.4)	0.08
1974	0	-	0.00	2002	18,996	(13.1)	0.07
1975	0	-	0.00	2003	13,062	(31.2)	0.05
1976	0	-	0.00	2004	12,504	(4.3)	0.04
1977	0	-	0.00	2005	11,454	(8.4)	0.04
1978	0	-	0.00	2006	13,348	16.5	0.04
1979	0	-	0.00	2007	12,451	(6.7)	0.03
1980	0	-	0.00	2008	14,181	13.9	0.03
1981	0	-	0.00	2009	10,787	(23.9)	0.03
1982 <sup>1</sup>	15,294	-	0.18	2010	9,907	(8.2)	0.03
1983	32,583	113.1	0.38	2011	9,380	(5.3)	0.02
1984	24,167	(25.8)	0.26	2012	12,757	36.0	0.03
1985	19,256	(20.3)	0.18	2013	14,459	13.3	0.03
1986	11,623	(39.6)	0.11	2014	17,429	20.5	0.03
1987	6,480	(44.3)	0.06	2015	18,954	8.8	0.04
1988	3,588	(44.6)	0.03	2016	18,329	(3.3)	0.04
1989	2,439	(32.0)	0.02				
1990	2,966	21.6	0.02				
1991	3,205	8.0	0.02				
1992	5,151	60.7	0.03				
1993	10,056	95.2	0.06				
1994	17,034	69.4	0.09				
1995	23,268	36.6	0.12				
1996	27,476	18.1	0.14				
1997	34,251	24.7	0.16				
1998	37,020	8.1	0.16				
1999	43,674	18.0	0.18				

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> Before 1982, Manufactured Housing Sales and Use tax receipts were deposited under object code 3004 for the Motor Vehicle Sales and Use tax



Source(s): Glenn Hegar, Texas Comptroller



## **MEDICAL EXAM & REGISTRATION FEES**

### **Revenue Object 3560**

#### **RATE & BASE**

<i>State:</i>	Examination and registration fees for: doctors; nurses; EMS; radiologic techs; midwives; perfusionists; respiratory care practitioners; physician assistants; and permits to administer medication to certain persons. Fees vary depending on occupation and initial or renewal application
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

#### **ADMINISTRATION**

<i>Agency:</i>	Texas Medical Board, Department of State Health Services, Department of Aging and Disability Services, Texas Department of Licensing and Regulation, Texas Board of Nursing, and the Texas Higher Education Coordinating Board
<i>No. of Fees Collected:</i>	N/A
<i>Payment Cycle:</i>	N/A
<i>Due Date:</i>	Annual, biennial, or as determined by the appropriate agency
<i>Remitted by:</i>	Appropriate administrative agency

#### **LEGAL CITATION(S)**

Various, including parts of:  
Texas Health and Safety Code: Chapters 142, 242, 467, 773  
Texas Occupations Code: Chapters 51, 101, 153, 155, 156, 162, 167, 203, 204, 301, 601, 603, and 604

#### **ENACTED**

Various, depending on fee

#### **RATE & BASE CHANGES**

67th Legislature, 1st C.S. (1981) Amended doctor's fees  
68th Legislature (1983) Increased doctor's fees  
74th Legislature (1995) Added out of state/country EMS certification fees  
75th Legislature (1997) Added EMS provisional license, paramedic license, and training fees  
76th Legislature (1999) Increased doctor's fees. Added anesthesia in outpatient setting and physician-in-training fees  
78th Legislature (2003) Increased emergency medical services fees and nursing licensing fees. Added nursing license surcharge  
81st Legislature (2009) Increased nursing license surcharge. Fees for radiologic techs, midwives, perfusionists, respiratory care practitioners, and other medical professionals added since 1983  
84th Legislature (2015) Due date for fees associated with radiologic techs and midwives changed from annual to biennial

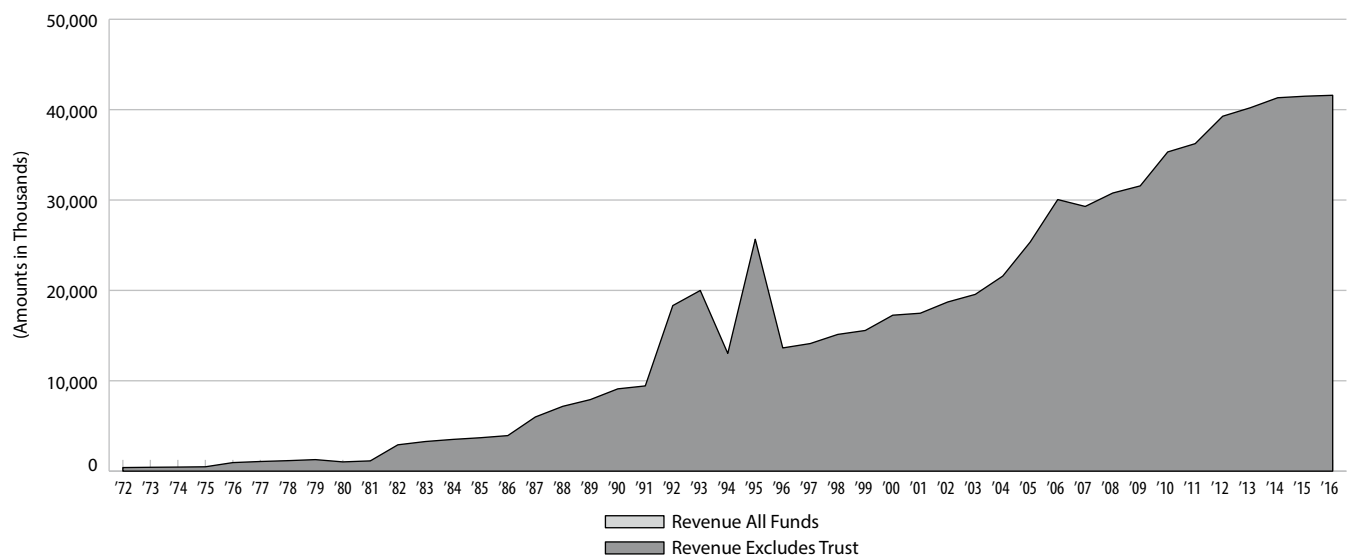
#### **ALLOCATION**

Fee Revenue, Doctors:  
General Revenue Fund 0001  
GR Account – Texas Physician Health Program 5147 (Texas Physician Health Program fee)  
Fee Revenue, EMS:  
GR Account – Bureau of Emergency Management 0512  
All Other Fee Revenue:  
General Revenue Fund 0001

**MEDICAL EXAM & REGISTRATION FEES (concluded)****Revenue Object 3560****NET COLLECTIONS**

(Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 398	\$ 398	-	0.08	2000	\$ 17,257	\$ 17,257	10.9	0.18
1973	429	429	7.8	0.08	2001	17,474	17,474	1.3	0.17
1974	452	452	5.3	0.07	2002	18,719	18,719	7.1	0.17
1975	484	484	7.1	0.06	2003	19,559	19,559	4.5	0.17
1976	948	948	96.0	0.10	2004	21,584	21,584	10.4	0.18
1977	1,069	1,069	12.8	0.10	2005	25,358	25,358	17.5	0.19
1978	1,161	1,161	8.6	0.09	2006	30,051	30,051	18.5	0.21
1979	1,278	1,278	10.0	0.10	2007	29,289	29,289	(2.5)	0.18
1980	1,025	1,025	(19.8)	0.06	2008	30,773	30,773	5.1	0.16
1981	1,137	1,137	10.9	0.05	2009	31,565	31,565	2.6	0.20
1982	2,915	2,915	156.5	0.12	2010	35,320	35,320	11.9	0.23
1983	3,278	3,278	12.4	0.15	2011	36,240	36,240	2.6	0.21
1984	3,513	3,513	7.2	0.14	2012	39,273	39,273	8.4	0.22
1985	3,698	3,698	5.3	0.12	2013	40,206	40,206	2.4	0.21
1986	3,934	3,934	6.4	0.10	2014	41,318	41,318	2.8	0.21
1987	5,993	5,993	52.3	0.17	2015	41,489	41,489	0.4	0.20
1988	7,175	7,175	19.7	0.20	2016	41,590	41,590	0.2	0.18
1989	7,917	7,917	10.3	0.21					
1990	9,107	9,107	15.0	0.22					
1991	9,432	9,432	3.6	0.22					
1992	18,320	18,320	94.2	0.34					
1993	19,993	19,993	9.1	0.29					
1994	13,030	13,030	(34.8)	0.16					
1995	25,663	25,663	97.0	0.30					
1996	13,636	13,636	(46.9)	0.15					
1997	14,120	14,117	3.5	0.15					
1998	15,130	15,133	7.2	0.16					
1999	15,566	15,566	2.9	0.15					



Source(s): Glenn Hegar, Texas Comptroller

**MIXED BEVERAGE TAXES**  
**Revenue Object 3250 and 3251\***

**RATE & BASE**

<i>State:</i>	6.7% of gross receipts from the sale, preparation or service of mixed beverages or from the sale, preparation or service of ice or nonalcoholic beverages that are sold, prepared or served for mixing with an alcoholic beverage and consumed on the premises. And an 8.25% mixed beverage sales tax, levied in addition to the gross receipts tax
<i>Local:</i>	Counties and cities each receive 10.7143% of total collections within jurisdiction
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	12,093
<i>Payment Cycle:</i>	Monthly (both gross receipts and sales tax); Quarterly (sales tax only)
<i>Due Date:</i>	20th day of the month for the preceding month or quarter, as appropriate
<i>Remitted By:</i>	Permitted sellers of mixed beverages

**LEGAL CITATION(S)**

Texas Tax Code, §§ 183.021, 183.023, 183.041, 183.051

**ENACTED**

62nd Legislature (1971) 10%

**RATE & BASE CHANGES**

68th Legislature (1984) 12% (eff. 10/2/84)  
71st Legislature (1990) 14% (eff. 7/1/90)  
83rd Legislature (2013) Lowered existing gross receipts tax to 6.7%; added an 8.25% sales tax (both eff. 1/1/14)

**ALLOCATION**

General Revenue Fund 0001 and/or certain Events Trust Funds—100%

Note: Counties, based on permittees outside cities; and municipalities, based on permittees inside cities; all receive refunds issued on the General Revenue Fund of amounts equal to 10.7143% of both mixed beverage gross receipts tax and mixed beverage sales tax revenue originating in their respective territories.

**MIXED BEVERAGE TAXES (concluded)**  
**Revenue Object 3250 and 3251\***

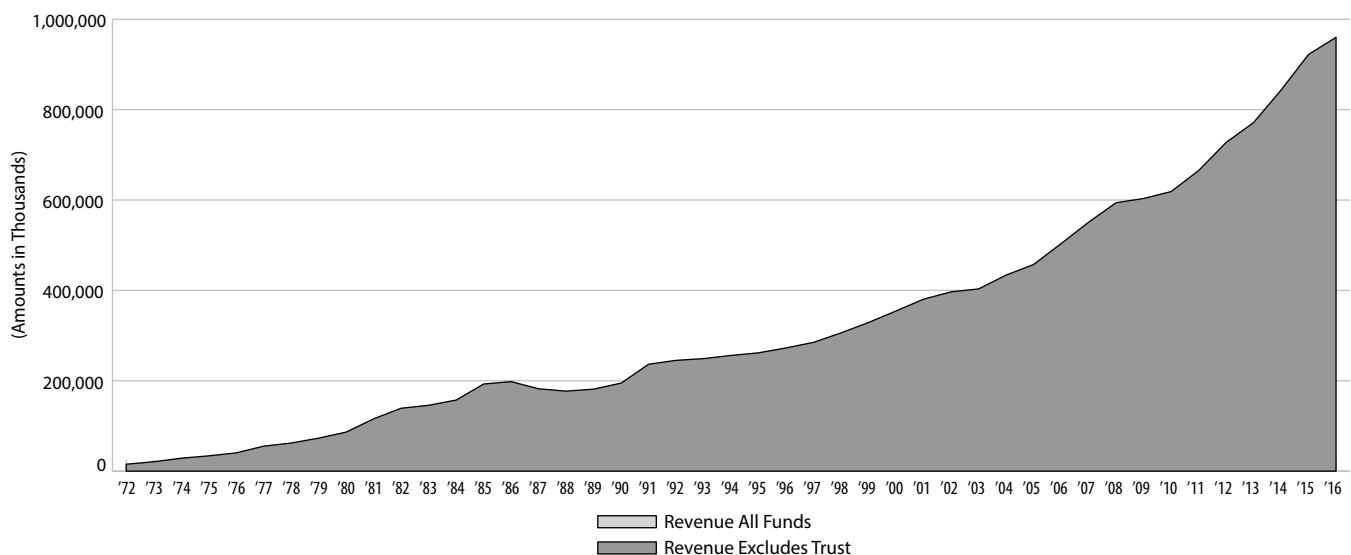
**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
1972	\$ 15,367	\$ 15,367	-	0.66	2000	\$ 354,542	\$ 354,542	7.8	1.40
1973	20,799	20,799	35.3	0.81	2001	380,586	380,586	7.3	1.40
1974	28,665	28,665	37.8	0.95	2002	396,753	396,753	4.2	1.51
1975	33,869	33,869	18.2	1.00	2003	403,284	403,284	1.6	1.54
1976	40,428	40,428	19.4	1.03	2004	433,840	433,840	7.6	1.55
1977	55,300	55,300	36.8	1.25	2005	457,262	457,262	5.4	1.53
1978	62,230	62,230	12.5	1.24	2006	503,407	503,407	10.1	1.50
1979	73,103	73,103	17.5	1.36	2007	550,827	550,827	9.4	1.49
1980	86,416	86,416	18.2	1.36	2008	594,018	594,018	7.8	1.44
1981	115,795	115,795	34.0	1.50	2009	603,386	603,386	1.6	1.60
1982	139,227	139,227	20.2	1.61	2010	618,675	618,675	2.5	1.75
1983	145,750	145,750	4.7	1.72	2011 <sup>1</sup>	667,735	665,056	7.5	1.71
1984	157,317	157,317	7.9	1.69	2012	728,252	727,275	9.4	1.65
1985	192,846	192,846	22.6	1.80	2013	774,352	771,312	6.1	1.61
1986	198,107	198,107	2.7	1.94	2014 <sup>2</sup>	845,834	843,224	9.3	1.65
1987	182,261	182,261	(8.0)	1.78	2015	924,635	922,121	9.4	1.78
1988	177,042	177,042	(2.9)	1.43	2016	964,525	959,975	4.1	1.98
1989	181,505	181,505	2.5	1.41					
1990	194,880	194,880	7.4	1.43					
1991	236,645	236,645	21.4	1.59					
1992	245,199	245,199	3.6	1.55					
1993	249,073	249,073	1.6	1.46					
1994	256,072	256,091	2.8	1.41					
1995	261,900	261,900	2.3	1.39					
1996	272,728	272,709	4.1	1.38					
1997	285,050	285,050	4.5	1.35					
1998	306,026	306,026	7.4	1.35					
1999	328,998	328,998	7.5	1.39					

\* Revenue object code 3664 (relating to funds remitted under protest) was available through fiscal 2004 for use with revenue object 3250 in calculating net collections

<sup>1</sup> Starting in 2011, the Events Trust Fund, Major Events Reimbursement Program Fund (trust), Special Events Trust Fund(repealed), and the Motor Sports and Racing Trust Fund started receiving alcoholic beverage taxes

<sup>2</sup> Starting in 2014, revenue object code 3251 was created for the new Mixed Beverage Sales Tax



Source(s): Glenn Hegar, Texas Comptroller

## MOTOR VEHICLE CERTIFICATES

### Revenue Object 3012

**RATE & BASE**

<i>State:</i>	\$33 for each motor vehicle certificate of title issued in a federally-designated “nonattainment” county, \$28 for all other counties; \$8 for non-repairable/salvage vehicle title; \$65 rebuilder fee
<i>Local:</i>	None, but counties retain \$5 from each title fee
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Texas Department of Motor Vehicles (DMV)
<i>No. of Fees Collected:</i>	8,242,349
<i>Payment Cycle:</i>	Daily, except for funds invested by counties, which may be retained for an additional 34 days
<i>Due Date:</i>	See payment cycle above
<i>Remitted by:</i>	County tax assessor-collectors and DMV regional offices

**LEGAL CITATION(S)**

Texas Transportation Code, Chapters 501 and 520

**ENACTED**

46th Legislature (1939) \$0.25 per certificate of title

**RATE & BASE CHANGES**

54th Legislature (1955) Increased fee to \$0.75  
 65th Legislature (1977) Increased fee to \$3.00  
 68th Legislature (1983) Increased fee to \$10.00  
 72nd Legislature (1991) Increased fee to \$13.00  
 78th Legislature (2003) For Texas Emissions Reduction Plan (TERP), raised \$13 title fee by \$20 in federally-designated “nonattainment” counties, by \$15 in other counties; imposed \$8 application fee for non-repairable/salvage vehicle title; imposed \$65 rebuilder fee on rebuilder fee on application for regular certificate of title for salvage vehicle  
 79th Legislature (2005) Delayed 2 years fee change from \$20 to \$15 for titles purchased in nonattainment counties to 9/1/10, and continued to allocate \$5 of each \$20 fee collected to TERP Fund 5071 (thru 8/31/10); subjected all-terrain vehicles to title fee.  
 80th Legislature (2007) Removed permanently title fee change from \$20 to \$15 for titles purchased in nonattainment counties, and extended through 9/1/15 the allocation of \$5 of each \$20 title fee collected to TERP Fund 5071  
 81st Legislature (2009) Extended to 8/31/19 expiration of establishment by Comptroller of an amount of the fees deposited to Texas Mobility Fund from title fees each month, and the deposit of an equal amount from State Highway Fund 0006 to TERP Fund 5071; added recreational off-highway vehicles to definition of a motor vehicle  
 82nd Legislature (2011) Amended/reorganized Chapters 501, 502, 504 & 520 to authorize DMV to implement an electronic titling system for collection of registration/titling fees and service charges; require removal of plates and window stickers on sale of vehicle; provide temporary transit permits; and issue specialty plate to spouses of disabled veterans; requires DMV to establish electronic lien system  
 83rd Legislature (2013) changed deposit from State Highway Fund 0006 to new Texas Department of Motor Vehicles Fund. The new fund was not exempted in funds consolidation bill (H.B. 6) and not created. Therefore, revenue amounts intended for the new fund are deposited to General Revenue 0001  
 84th Legislature (2015) Department Motor Vehicles Fund 0010 recreated effective 9/1/2015; certain deposits that had been made to General Revenue deposited to new Fund 0010 beginning 9/1/2016.

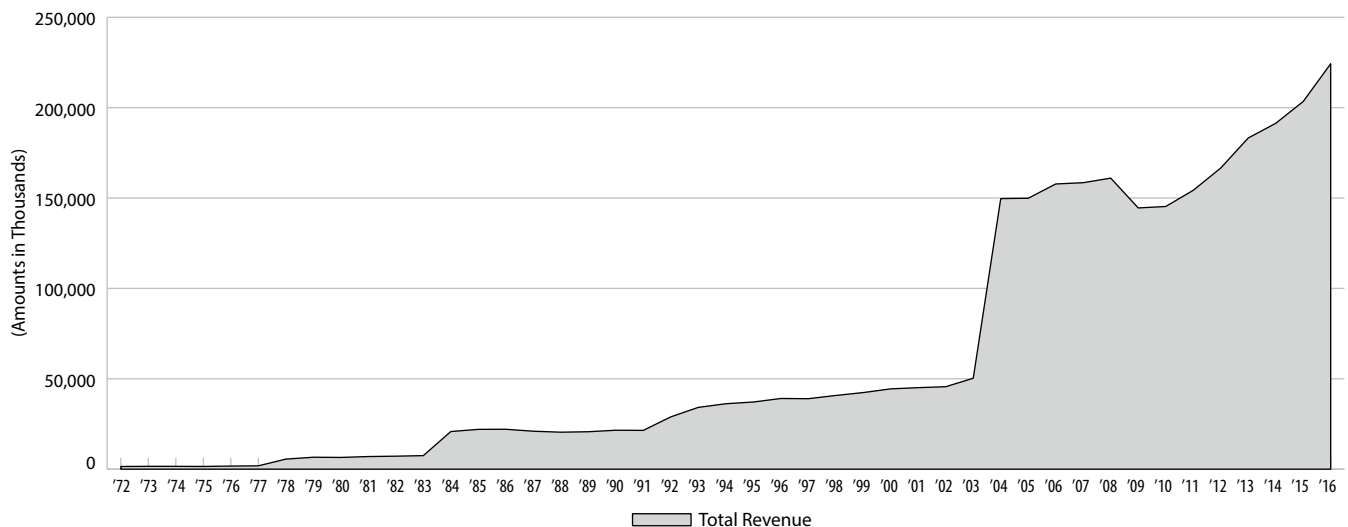
**ALLOCATION**

\$28 or \$33 certificate of title fee:  
 County tax assessor-collector — \$5; General Revenue Fund 0001 — \$5; Department Motor Vehicles Fund 0010 — \$3. Texas Mobility Fund 0365 — \$15 or \$20, depending on county.  
 \$8 application fee for non-repairable or salvage vehicle title:  
 Department of Motor Vehicles Fund 0010 — 100%  
 \$65 rebuilder fee:  
 State Highway Fund 0006 — \$50; General Revenue Fund 0001 — \$15  
 Electronic titling system fees (to be set by rule):  
 Department of Motor Vehicles Fund 0010 — 100%

**MOTOR VEHICLE CERTIFICATE (concluded)**  
**Revenue Object 3012**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 1,476	-	0.29	2000	\$ 44,428	4.8	0.46
1973	1,562	5.8	0.28	2001	45,093	1.5	0.43
1974	1,561	(0.0)	0.23	2002	45,614	1.2	0.42
1975	1,500	(3.9)	0.19	2003	50,296	10.3	0.45
1976	1,703	13.5	0.19	2004	149,694	197.6	1.22
1977	1,847	8.4	0.17	2005	149,881	0.1	1.14
1978	5,559	201.0	0.45	2006	157,769	5.3	1.11
1979	6,598	18.7	0.50	2007	158,485	0.5	1.00
1980	6,491	(1.6)	0.38	2008	161,006	1.6	0.83
1981	6,979	7.5	0.33	2009	144,521	(10.2)	0.93
1982	7,181	2.9	0.30	2010	145,315	0.5	0.96
1983	7,481	4.2	0.34	2011	154,259	6.2	0.91
1984	20,817	178.3	0.83	2012	166,592	8.0	0.94
1985	22,018	5.8	0.74	2013	183,200	10.0	0.98
1986	22,071	0.2	0.54	2014	191,326	4.4	0.97
1987	20,991	(4.9)	0.60	2015	203,414	6.3	0.97
1988	20,455	(2.6)	0.58	2016	224,290	10.3	0.96
1989	20,698	1.2	0.56	† No revenue deposited to trust			
1990	21,537	4.1	0.53				
1991	21,450	(0.4)	0.50				
1992	28,930	34.9	0.54				
1993	34,175	18.1	0.49				
1994	36,191	5.9	0.45				
1995	37,141	2.6	0.44				
1996	39,092	5.3	0.43				
1997	38,985	(0.3)	0.42				
1998	40,766	4.6	0.44				
1999	42,374	3.9	0.41				



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Transportation; Texas Department of Motor Vehicles

## MOTOR VEHICLE INSPECTION FEES

### Revenue Object 3020

**RATE & BASE**

<i>State:</i>	\$12.50 for annual vehicle inspection report, \$21.75 for new vehicle two-year inspection; \$50 for commercial vehicle annual inspection; \$100 biennial fee for each inspection station; \$25 biennial fee for each inspector; \$10 Texas Emissions Reduction Plan (TERP) surcharge on commercial inspections
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None; however, some trailers, semitrailers, farm machinery, road-building equipment and former military vehicles are not subject to inspection

**ADMINISTRATION**

<i>Agency:</i>	Texas Department of Public Safety (DPS); Texas Department of Motor Vehicles (DMV)
<i>No. of Fees Collected:</i>	19,523,893
<i>Payment Cycle:</i>	Payments made by DMV or county tax assessor-collectors as vehicles are registered and fees paid
<i>Due Date:</i>	Upon registration of vehicle
<i>Remitted by:</i>	DMV or county tax assessor-collectors

**LEGAL CITATION(S)**

Texas Transportation Code, Chapter 548.501-548.509  
Texas Health and Safety Code, Chapters 382 and 386

**ENACTED**

53rd Legislature (1953) \$1 for annual inspection sticker (\$0.25 to DPS)

**RATE & BASE CHANGES**

Various annual sticker fee increases between 1955 and 1985  
70th Legislature (1987) Added two-year inspections for \$15  
71st Legislature (1989) Annual sticker fee increased to \$8.50; two-year sticker fee increased to \$15.75  
72nd Legislature (1991) Annual sticker fee increased to \$10.50  
73rd Legislature (1993) Two-year sticker fee increased to \$19.75; added commercial inspection fee for \$50  
76th Legislature (1999) Annual sticker fee increased to \$12.50; two-year sticker fee increased to \$21.75  
77th Legislature (2001) As part of Texas Emissions Reduction Plan (TERP) added \$10 inspection fee surcharge on commercial inspections (eff. 9/1/01 thru 8/31/08)  
78th Legislature (2003) Allows participating counties to adopt motor vehicle inspection and maintenance programs and charge a fee (eff. 6/10/03); revised allocations to Texas Mobility Fund 0365 (eff. 9/1/05)  
79th Legislature (2005) Extended the TERP surcharges through fiscal 2010 (eff. 9/1/05)  
80th Legislature (2007) Extended the TERP surcharge through 8/31/13 (eff. 9/1/07)  
81st Legislature (2009) Extended the TERP surcharge through 8/31/19 (eff. 9/1/09)  
82nd Legislature (2011) Increased biennial fee for inspector certification to \$25, and biennial fee for inspection station to \$100; established new administrative penalty for certain violations NTE \$1,000 per violation  
83rd Legislature (2013) Changed dual sticker inspection/registration system to a vehicle inspection with report followed by a vehicle registration. The inspection station portion of the fee is retained by the inspector. At time of registration, all remaining fees are paid — both for inspection and registration  
84th Legislature (2015) Portion of inspection fee, initial 2-year new vehicle inspections only, for clean air reduced from \$4 to \$2

**ALLOCATION**

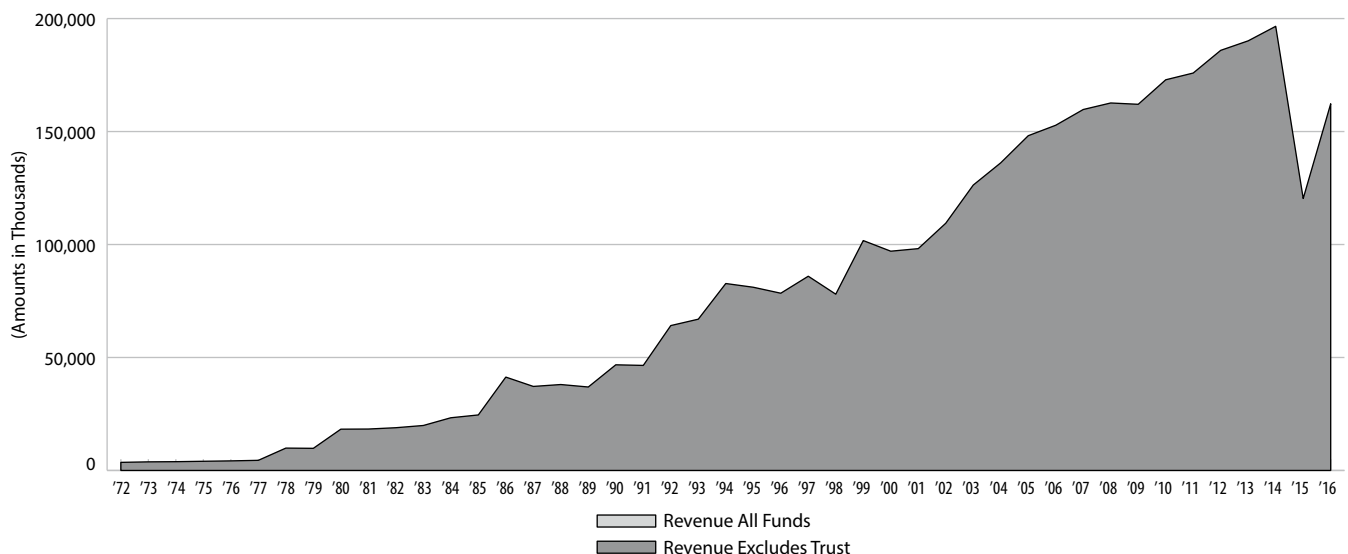
\$12.50 annual vehicle inspection fee: Vehicle inspection station — \$7; Texas Mobility Fund 0365 — \$3.50; Clean Air Account 0151 — \$2  
\$21.75 two-year inspection fee for new vehicles: Vehicle inspection station — \$7; Texas Mobility Fund 0365 — \$12.75; Clean Air Account 0151 — \$2  
\$50 annual commercial vehicle fee: Vehicle inspection station — \$40; Texas Mobility Fund 0365 — \$10  
Emissions testing fee: Varies by program area. Allocation varies for inspection stations and Clean Air Account 0151  
\$10 commercial inspection surcharge (expires 8/31/2019): Emissions Reduction Plan Account 5071 — 100%



**MOTOR VEHICLE INSPECTION FEES (concluded)**  
**Revenue Object 3020**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 3,579	\$ 3,579	-	0.70	2000	\$ 97,039	\$ 97,039	(4.6)	0.99
1973	3,806	3,806	6.3	0.67	2001	98,176	98,176	1.2	0.93
1974	3,883	3,883	2.0	0.56	2002	109,415	109,415	11.4	1.02
1975	4,064	4,064	4.7	0.52	2003	126,308	126,308	15.4	1.13
1976	4,237	4,237	4.3	0.47	2004	136,159	136,159	7.8	1.11
1977	4,481	4,481	5.7	0.41	2005	148,152	148,152	8.8	1.13
1978	9,895	9,895	120.8	0.80	2006	152,786	152,786	3.1	1.08
1979	9,792	9,792	(1.0)	0.74	2007	159,749	159,750	4.6	1.01
1980	18,271	18,271	86.6	1.07	2008	162,644	162,644	1.8	0.84
1981	18,331	18,331	0.3	0.86	2009	162,056	162,056	(0.4)	1.04
1982	18,914	18,914	3.2	0.80	2010	172,902	172,902	6.7	1.14
1983	19,900	19,900	5.2	0.89	2011	175,896	175,896	1.7	1.04
1984	23,321	23,321	17.2	0.93	2012	185,935	185,935	5.7	1.05
1985	24,568	24,568	5.3	0.83	2013	190,150	190,150	2.3	1.02
1986	41,324	41,324	68.2	1.02	2014	196,575	196,575	3.4	1.00
1987	37,189	37,189	(10.0)	1.06	2015	120,362	120,362	(38.8)	0.57
1988	38,029	38,029	2.3	1.08	2016	162,285	162,285	34.8	0.70
1989	36,935	36,935	(2.9)	1.00					
1990	46,760	46,760	26.6	1.15					
1991	46,488	46,488	(0.6)	1.08					
1992	64,121	64,121	37.9	1.19					
1993	66,950	66,950	4.4	0.97					
1994	82,741	82,735	23.6	1.03					
1995	81,087	81,087	(2.0)	0.96					
1996	78,440	78,440	(3.3)	0.87					
1997	85,964	85,964	9.6	0.92					
1998	78,012	78,012	(9.2)	0.85					
1999	101,746	101,746	30.4	0.98					



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Public Safety; Texas Department of Motor Vehicles

## MOTOR VEHICLE REGISTRATION FEES

### Revenue Object 3014

**RATE & BASE**

<i>State:</i>	Various rates generally based on type/weight of motor vehicle; passenger cars/light trucks less than 6,000 pounds \$50.75; vehicles over 6,000 pounds \$54-\$840, depending on weight; additional fees for personalized (NLT \$40) and specialized plates (\$30 most cases); \$20 for souvenir plates, \$40 if personalized; fee not to exceed \$5 for temporary cardboard tag
<i>Local:</i>	Optional county road and bridge fee not to exceed \$10; optional county fee for child safety in some counties \$0.50 to \$1.50
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Federal, state, and local governments; school districts

**ADMINISTRATION**

<i>Agency:</i>	Texas Department of Motor Vehicles (DMV)
<i>No. of Fees Collected:</i>	24,053,612
<i>Payment Cycle:</i>	Annually
<i>Due Date:</i>	Each Monday unless invested per statute, then no later than 34 days after the due date
<i>Remitted by:</i>	County tax assessor-collectors

**LEGAL CITATION(S)**

Texas Transportation Code, Chapters 502-504, 520

**ENACTED**

35th Legislature (1917) \$0.35 per horsepower; minimum of \$7.50

**RATE & BASE CHANGES**

Numerous rate and base changes between 1917 and 1972

72nd Legislature (1991) 5% county commission paid from State Highway Fund 0006

76th Legislature (1999) Added \$1 fee for automated registration and title system

77th Legislature (2001) Added/amended specialty license plates/fees; for Texas Emissions Reduction Plan (TERP), imposed a 10% surcharge on commercial vehicle registrations

78th Legislature (2003) Set specialty plate fee for general distribution to \$30; added \$1 fee to each registration for certain TxDPS programs; allowed TxDOT to issue souvenir plates for \$20; revised formula to pay 5% to counties from Fund 0001 to be implemented over 10 years; reduced fee on certain disabled veteran license plates

79th Legislature (2005) Extended TERP 10% surcharge on commercial vehicle registrations to fiscal 2010; allowed sale of specialty license plates by vendor; created \$8 registration fee for ATVs (eff. 9/1/06); lowered collegiate plate fee to \$30; amended fee for "Donor Education/Awareness/Registry Program of Texas"

80th Legislature (2007) Implemented \$5 fee for temporary cardboard tags; expiration of 10% registration surcharge on commercial vehicles dedicated to TERP extended to 08/31/13; exempted emergency vehicles from toll payments to cover non-emergency travel

81st Legislature (2009) Expiration of TERP 10% registration surcharge on commercial vehicles extended to 8/31/19; allowed commercial fleet owners of 25+ vehicles to register fleet up to 8 years for extra \$8-10 fee plus \$1.50 manufacturing fee; extended \$1 insurance fee on registrations to all counties; established DMV. Standardized various fees, including new \$50.75 fee for vehicles <6,000 lbs; new fee schedule for vehicles/road tractors/trailers >6,000 lbs; \$45 fee for certain trailers <6,000 lbs; reduced fee to \$6 for golf carts; repealed \$0.30 license plate reflector fee; eliminated license plate issuance fees for certain plates (all eff. 9/1/11)

82nd Legislature (2011) Numerous recodifications; new fees for electronic payments for registration; sets fees for state's share of revenue from sale of specialty/personalized license plates by private vendor; authorize DMV to impose administrative penalty for violations by salvage vehicle dealers; specialty plate for disabled veteran surviving spouses; require dealers to remove tags/stickers from traded-in vehicles

83rd Legislature (2013) changed deposit from State Highway Fund 0006 to new Texas Department of Motor Vehicles Fund. The new fund was not exempted in funds consolidation bill (H.B. 6) and not created. Therefore, revenue amounts intended for the new fund are deposited to General Revenue 0001. Abolished specialty license plate accounts created under Transportation Code, Subchapter G and changed deposit of revenue to the License Plate Trust Fund (0802)

84th Legislature (2015) Department Motor Vehicles Fund 0010 recreated effective 9/1/2015; certain deposits that had been made to General Revenue deposited to new Fund 0010 beginning 9/1/2016.

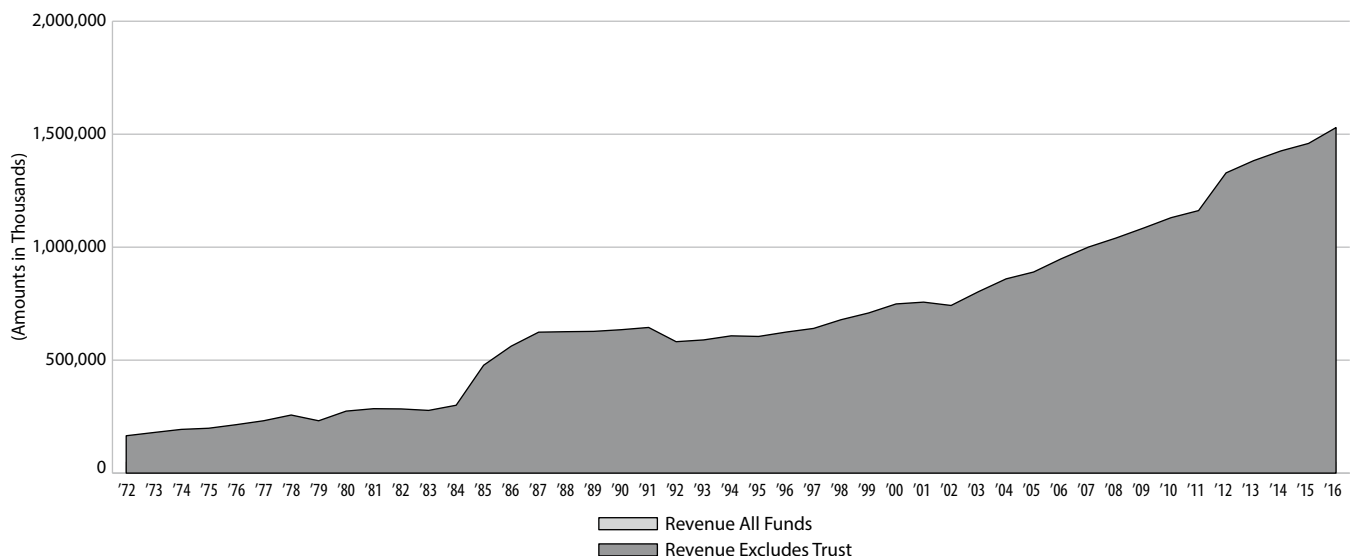
**ALLOCATION**

Generally, for passenger vehicles and light truck registration: General Revenue Fund 0001 — \$38.75 from personalized license plate fees; private vendor specialty and souvenir plates if no designated account; off-highway decal \$8 or other amt. State Highway Fund 0006 — \$50.75 for registration of vehicles <6,000 lbs (note: registration revenue of vehicles >6,000 lbs also to Fund 0006); \$1.25 from personalized license plate fees; some souvenir plates; various fees. Department of Motor Vehicles Fund 0010 — \$8 from certain specialty license plates for general distribution other specialty plates; \$10 to \$20 on some souvenir license plate fees; \$1 fee dedicated to driver's license system reengineering, driver responsibility program, and other department purposes; assorted fees; \$5 fee for cardboard tag. License Plate Trust Fund 0802 — Revenue, usually \$22, from certain specialty license plates (previously deposited to Fund 0001).

**MOTOR VEHICLE REGISTRATION FEES (concluded)**  
**Revenue Object 3014**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 165,392	\$ 165,392	-	32.17	2000	\$ 748,826	\$ 748,826	5.6	7.67
1973	179,666	179,666	8.6	31.70	2001	756,781	756,781	1.1	7.16
1974	193,546	193,546	7.7	28.04	2002	742,047	742,047	(1.9)	6.89
1975	198,685	198,685	2.7	25.44	2003	803,329	803,329	8.3	7.17
1976	214,441	214,441	7.9	23.74	2004	859,736	859,736	7.0	7.03
1977	231,835	231,835	8.1	21.36	2005	890,061	890,061	3.5	6.76
1978	257,164	257,164	10.9	20.89	2006	948,403	948,403	6.6	6.70
1979	231,701	231,701	(9.9)	17.57	2007	1,000,672	1,000,672	5.5	6.31
1980	274,465	274,465	18.5	16.10	2008	1,040,606	1,040,606	4.0	5.37
1981	285,244	285,244	3.9	13.34	2009	1,084,670	1,084,670	4.2	6.95
1982	284,134	284,134	(0.4)	12.07	2010	1,130,560	1,130,560	4.2	7.47
1983	277,603	277,603	(2.3)	12.46	2011	1,161,957	1,161,957	2.8	6.84
1984	300,434	300,434	8.2	12.01	2012	1,328,771	1,328,771	14.4	7.52
1985	477,529	477,529	58.9	16.06	2013	1,382,791	1,382,791	4.1	7.38
1986	561,821	561,821	17.7	13.85	2014	1,428,595	1,426,198	3.1	7.25
1987	623,877	623,877	11.0	17.84	2015	1,461,406	1,459,223	2.3	6.93
1988	625,988	625,988	0.3	17.75	2016	1,531,637	1,529,275	4.8	6.55
1989	627,385	627,385	0.2	16.92					
1990	634,736	634,736	1.2	15.64					
1991	644,724	644,724	1.6	14.98					
1992	581,710	581,710	(9.8)	10.81					
1993	589,532	589,532	1.3	8.50					
1994	607,420	607,615	3.1	7.55					
1995	604,985	604,946	(0.4)	7.19					
1996	624,245	624,252	3.2	6.88					
1997	640,458	640,458	2.6	6.86					
1998	679,040	679,037	6.0	7.36					
1999	708,830	708,830	4.4	6.80					



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Transportation; Texas Department of Motor Vehicles

## **MOTOR VEHICLE RENTAL TAX**

### **Revenue Object 3005**

#### **RATE & BASE**

<i>State:</i>	10% of gross receipts on rentals of 30 days or less; 6.25% on rentals of 31 to 180 days
<i>Local:</i>	Certain counties may impose a tax with a rate up to 6%
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Rentals to governments; rentals for re-rental

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	1,339
<i>Payment Cycle:</i>	Monthly, quarterly, and annually with option to prepay
<i>Due Date:</i>	20th day of the month for the preceding month, quarter, or year; 15th day of the current month for monthly prepayors; 15th day of the second month of the quarter for quarterly prepayors
<i>Remitted By:</i>	Rental companies

#### **LEGAL CITATION(S)**

Texas Tax Code, §§ 152.026, 152.045, 152.084, 152.085  
Texas Local Government Code, §§ 334.102 - 334.109, 335.071(e)

#### **ENACTED**

62nd Legislature (1971) 4% of gross receipts

#### **RATE & BASE CHANGES**

68th Legislature (1984) 5% (eff. 8/1/84)  
70th Legislature (1987) 6% (eff. 10/1/87)  
72nd Legislature (1991) 10% for rentals up to 30 days; 6.25% for rentals of 31 to 180 days (eff. 9/1/91)

#### **ALLOCATION**

General Revenue Fund 0001 and/or certain Events Trust Funds — 100%

Note: SJR 5, passed by the 84th Legislature and approved by voters on November 3, 2015, directs 35% of all annual motor vehicle sales, rental, and use tax revenue--over \$5 billion in yearly collections--to the State Highway Fund. This provision will begin in state fiscal year 2020, is in force through fiscal 2029, and may be extended by Legislative action.

## MOTOR VEHICLE RENTAL TAX (concluded)

### Revenue Object 3005

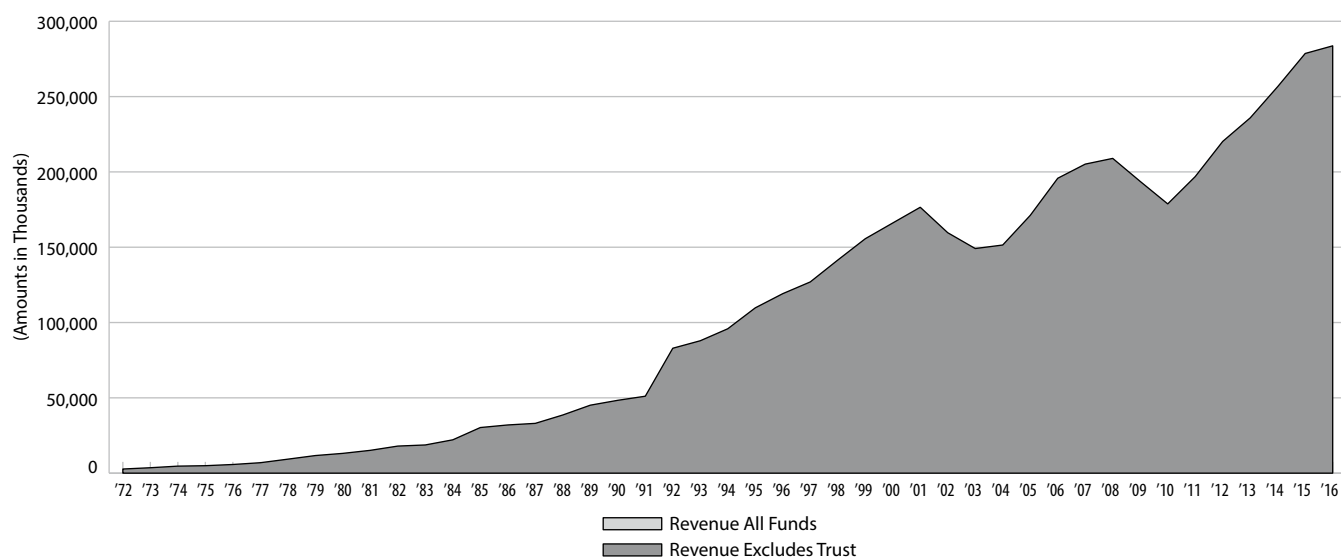
### NET COLLECTIONS

(Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
1972	\$ 2,750	\$ 2,750	-	0.12
1973	3,603	3,603		0.14
1974	4,666	4,666	29.5	0.15
1975	4,954	4,954	6.2	0.15
1976	5,756	5,756	16.2	0.15
1977	6,937	6,937	20.5	0.16
1978	9,292	9,292	33.9	0.18
1979	11,686	11,686	25.8	0.22
1980	13,138	13,138	12.4	0.21
1981	15,153	15,153	15.3	0.20
1982	17,981	17,981	18.7	0.21
1983	18,723	18,723	4.1	0.22
1984	22,140	22,140	18.3	0.24
1985	30,285	30,285	36.8	0.28
1986	32,004	32,004	5.7	0.31
1987	33,056	33,056	3.3	0.32
1988	38,620	38,620	16.8	0.31
1989	45,129	45,129	16.9	0.35
1990	48,364	48,364	7.2	0.35
1991	51,084	51,084	5.6	0.34
1992	82,934	82,934	62.3	0.52
1993	87,907	87,907	6.0	0.52
1994	95,866	95,866	9.1	0.53
1995	109,747	109,747	14.5	0.58
1996	119,168	119,168	8.6	0.60
1997	126,958	126,958	6.5	0.60
1998	141,471	141,471	11.4	0.63
1999	155,630	155,630	10.0	0.66

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
2000	\$ 166,090	\$ 166,090	6.7	0.66
2001	176,526	176,526	6.3	0.65
2002	159,622	159,622	(9.6)	0.61
2003	149,118	149,118	(6.6)	0.57
2004	151,466	151,466	1.6	0.54
2005	171,142	171,142	13.0	0.57
2006	195,771	195,771	14.4	0.58
2007	205,172	205,172	4.8	0.56
2008	208,969	208,969	1.9	0.51
2009	193,677	193,677	(7.3)	0.51
2010	178,760	178,760	(7.7)	0.51
2011 <sup>1</sup>	200,656	196,889	10.1	0.51
2012	221,104	220,229	11.9	0.50
2013	237,816	235,868	7.1	0.49
2014	258,020	256,626	8.8	0.50
2015	279,865	278,623	8.6	0.54
2016	286,328	283,690	1.8	0.59

<sup>1</sup> Starting in 2011, the Events Trust Fund, Major Events Reimbursement Program Fund (trust), Special Events Trust Fund (repealed), and the Motor Sports and Racing Trust Fund started receiving certain taxes



Source(s): Glenn Hegar, Texas Comptroller

## **MOTOR VEHICLE SALES AND USE TAX**

### **Revenue Object 3004 \***

#### **RATE & BASE**

<i>State:</i>	6.25% of sales price, less trade-in; \$90 tax for a motor vehicle brought into state by new resident; \$10 tax paid by donee per motor vehicle gifted; \$5 tax paid by each party in an even exchange; 1 or 2.5% Texas Emissions Reduction Plan (TERP) surcharge on certain diesel truck purchases
<i>Local:</i>	None; however county tax assessor-collectors may retain 5% of the motor vehicle sales tax collected from the sale of motor vehicles in their county
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Sales to governments; motor vehicle rental companies; vehicles modified to be driven by or to transport orthopedically handicapped persons; fire trucks/EMS vehicles; certain child-care facilities; driver training vehicles; vehicles used for religious purposes; trucks/trailers/semitrailers used interstate and subject to Interstate Registration Plan; farm machine/trailer/semi-trailer used primarily for farm or timber use

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	254
<i>Payment Cycle:</i>	Purchasers/Dealers remit to the County Tax Assessor-Collector within 30 calendar days of sale
<i>Due Date:</i>	County tax assessor-collectors remit: Daily — if previous year's taxes remitted were over \$10 million Weekly — if previous year's taxes remitted were \$2 million to \$10 million Monthly — if previous year's taxes remitted were under \$2 million
<i>Remitted By:</i>	County tax assessor-collectors

#### **LEGAL CITATION(S)**

Texas Tax Code, §§ 152.021 - 152.025, 152.027 - 152.028, 152.121

#### **ENACTED**

47th Legislature (1941) 1%

#### **RATE & BASE CHANGES**

Numerous rate and base changes between 1941 and 1971

62nd Legislature (1971) 4 percent

67th Legislature (1981) Imposed a \$15 use tax (in lieu of motor vehicle sales tax) on previously registered motor vehicles brought into the state by a new Texas resident

68th Legislature (1984) 5 percent (eff. 8/1/84)

70th Legislature (1987) 6 percent (eff. 10/1/87)

72nd Legislature (1991) 6.25% (eff. 9/1/91); 5% county commission no longer paid from General Revenue (eff. 1/1/92)

76th Legislature (1999) Increased new resident use tax to \$90 on previously registered vehicles; broadened tax to include leased vehicles

77th Legislature (2001) For TERP added 2.5% surcharge on sale/lease/rental of diesel trucks model years <1997 (eff. 9/1/01)

78th Legislature (2003) Extended TERP adding 1% surcharge on sale/lease/use/rental of diesel trucks, model years >1996 (eff. 7/1/03); reversed source of 5% county commission from State Highway Fund to General Revenue over 10 year period at a rate of 10% annually starting fiscal 2006

79th Legislature (2005) Extended TERP diesel truck surcharges through fiscal 2010; exempted some recreational vehicles from 1% surcharge

80th Legislature (2007) Extended TERP 10% surcharge on purchase of diesel trucks through fiscal 2013; exempted certain hydrogen-powered vehicles

81st Legislature (2009) Extended TERP 10% surcharge on purchase of diesel trucks through fiscal 2019; restricted persons eligible to pay \$10 gift tax in lieu of 6.25% tax on motor vehicle transfer between certain donor and donee relationships, and required a notary to attest to relationship

84th Legislature (2015) Purchases of vehicles operated with exempt license plates and used by either a public or private entity for transporting public or charter school students exempted from tax

#### **ALLOCATION**

General Revenue Fund 0001 — Allocation was 100% thru 8/31/05, then decreased over a 10 year period until fiscal 2015, when the allocation was 95% to General Revenue and counties received 5%

Property Tax Relief Fund 0304 — Revenue derived from the tax based on a vehicle's presumptive value

Emissions Reduction Plan Account 5071 — 100% of applicable surcharge

Note: SJR 5, passed by the 84th Legislature and approved by voters on November 3, 2015, directs 35% of all annual motor vehicle sales, rental, and use tax revenue--over \$5 billion in yearly collections--to the State Highway Fund. This provision will begin in state fiscal year 2020, is in force through fiscal 2029, and may be extended by Legislative action.

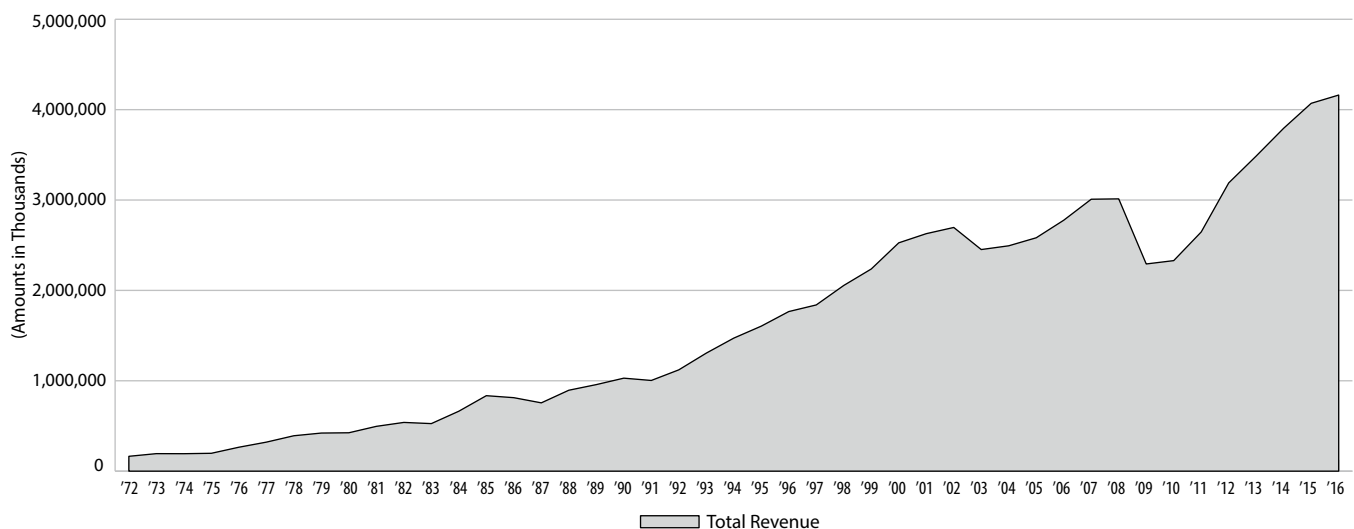
**MOTOR VEHICLE SALES AND USE TAX (concluded)**  
**Revenue Object 3004 \***

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 164,371	-	7.01	2000	\$ 2,526,449	12.9	9.99
1973	193,789	17.9	7.50	2001	2,627,761	4.0	9.65
1974	193,170	(0.3)	6.38	2002	2,696,454	2.6	10.26
1975	197,684	2.3	5.86	2003	2,452,064	(9.1)	9.39
1976	264,776	33.9	6.77	2004	2,493,614	1.7	8.93
1977	321,155	21.3	7.27	2005	2,582,389	3.6	8.65
1978	391,791	22.0	7.79	2006	2,776,573	7.5	8.28
1979	421,648	7.6	7.82	2007	3,008,867	8.4	8.14
1980	424,740	0.7	6.70	2008	3,012,846	0.1	7.28
1981	495,779	16.7	6.40	2009	2,292,557	(23.9)	6.06
1982	539,271	8.8	6.23	2010	2,329,566	1.6	6.59
1983	526,169	(2.4)	6.19	2011	2,646,638	13.6	6.81
1984	663,197	26.0	7.13	2012	3,189,319	20.5	7.24
1985	835,135	25.9	7.79	2013	3,487,064	9.3	7.30
1986	813,011	(2.6)	7.95	2014	3,794,693	8.8	7.44
1987	755,729	(7.0)	7.36	2015	4,070,110	7.3	7.88
1988	895,415	18.5	7.24	2016	4,161,576	2.2	8.58
1989	957,694	7.0	7.42				
1990	1,029,026	7.4	7.55				
1991	1,003,535	(2.5)	6.73				
1992	1,120,939	11.7	7.07				
1993	1,306,098	16.5	7.68				
1994	1,472,098	12.7	8.13				
1995	1,604,676	9.0	8.51				
1996	1,765,966	10.1	8.94				
1997	1,839,267	4.2	8.68				
1998	2,054,890	11.7	9.08				
1999	2,236,979	8.9	9.47				

\* Revenue object code 3667 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections

† No revenue deposited to trust



Source(s): Glenn Hegar, Texas Comptroller

## **MOTOR VEHICLE SALES AND USE TAX — SELLER-FINANCED MOTOR VEHICLES**

### **Revenue Object 3016**

#### **RATE & BASE**

<i>State:</i>	6.25% of seller's receipts; 1% or 2.5% Texas Emissions Reduction Plan (TERP) surcharge on certain diesel trucks
<i>Local:</i>	None; however counties are entitled to 5% of the motor vehicle sales tax (seller-financed) collected on the sale of motor vehicles in their county
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Sales to governments; motor vehicle rental companies; vehicles modified to be driven by or to transport orthopedically handicapped persons; fire trucks/EMS vehicles; vehicles transported out-of-state; certain child-care facilities; driver training vehicles; vehicles used for religious purposes; trucks/trailers/semitrailers used interstate and subject to Interstate Registration Plan; certain hydrogen-powered vehicles; farm machine/trailer/semi-trailer used primarily for farm or timber use

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	3,734
<i>Payment Cycle:</i>	Monthly or quarterly (may be prepaid)
<i>Due Date:</i>	20th day of the month for the preceding month or calendar quarter
<i>Remitted By:</i>	Sellers who finance motor vehicles

#### **LEGAL CITATION(S)**

Texas Tax Code, §§ 152.047 - 152.048

#### **ENACTED**

73rd Legislature (1993) 6.25% (eff. 10/1/93)

#### **RATE & BASE CHANGES**

- 77th Legislature (2001) For TERP, added 2.5% surcharge on sale/lease/rental of diesel trucks for model years <1997 (eff. 9/1/01)
- 78th Legislature (2003) Extended TERP by adding 1% surcharge on sale/lease/use/rental of diesel trucks for model years >1996 (eff. 7/1/03)
- 80th Legislature (2007) Extended TERP 10% surcharge on purchase of certain diesel trucks through fiscal 2013; exempted certain hydrogen-powered vehicles
- 81st Legislature (2009) Required motor vehicle sellers in seller-financed sales to apply for registrations and certificates of title with county tax assessor-collectors in the purchaser's name no later than 45 days after vehicle delivery to the purchaser; extended TERP 10% surcharge on purchase of diesel trucks through fiscal 2019
- 84th Legislature (2015) Purchases of vehicles operated with exempt license plates and used by either a public or private entity for transporting public or charter school students exempted from tax

#### **ALLOCATION**

General Revenue Fund 0001 — Allocation was 100% thru 8/31/05, then decreased over 10 year period until fiscal 2015, when the allocation was 95% to General Revenue and counties received 5%

Texas Emissions Reduction Plan Account 5071 — 100% of applicable surcharge

Note: SJR 5, passed by the 84th Legislature and approved by voters on November 3, 2015, directs 35% of all annual motor vehicle sales, rental, and use tax revenue--over \$5 billion in yearly collections--to the State Highway Fund. This provision will begin in state fiscal year 2020, is in force through fiscal 2029, and may be extended by Legislative action.



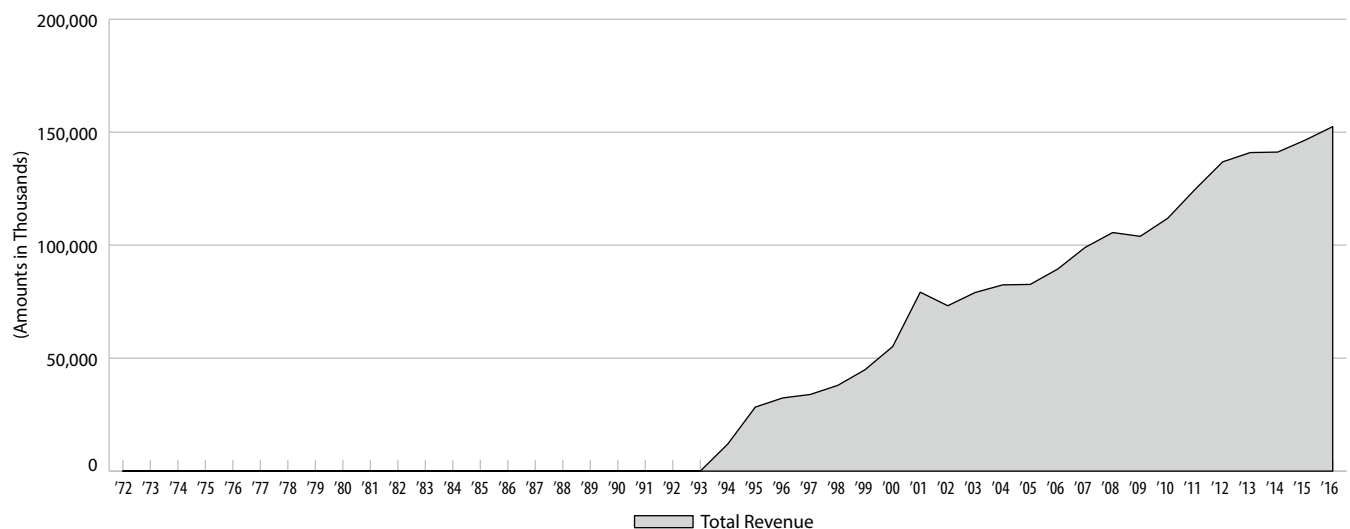
# **MOTOR VEHICLE SALES AND USE TAX — SELLER-FINANCED MOTOR VEHICLES (concluded)** **Revenue Object 3016**

## **NET COLLECTIONS** (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 0	-	0.00	2000	\$ 55,168	22.7	0.22
1973	0	-	0.00	2001	79,198	43.6	0.29
1974	0	-	0.00	2002	73,199	(7.6)	0.28
1975	0	-	0.00	2003	79,069	8.0	0.30
1976	0	-	0.00	2004	82,423	4.2	0.30
1977	0	-	0.00	2005	82,642	0.3	0.28
1978	0	-	0.00	2006	89,437	8.2	0.27
1979	0	-	0.00	2007	99,038	10.7	0.27
1980	0	-	0.00	2008	105,583	6.6	0.26
1981	0	-	0.00	2009	103,919	(1.6)	0.27
1982	0	-	0.00	2010	111,902	7.7	0.32
1983	0	-	0.00	2011	124,757	11.5	0.32
1984	0	-	0.00	2012	136,886	9.7	0.31
1985	0	-	0.00	2013	140,984	3.0	0.30
1986	0	-	0.00	2014	141,205	0.2	0.28
1987	0	-	0.00	2015	146,493	3.7	0.28
1988	0	-	0.00	2016	152,472	4.1	0.31
1989	0	-	0.00				
1990	0	-	0.00				
1991	0	-	0.00				
1992	0	-	0.00				
1993	0	-	0.00				
1994 <sup>1</sup>	11,977	-	0.07				
1995	28,324	136.5	0.15				
1996	32,398	14.4	0.16				
1997	33,929	4.7	0.16				
1998	37,945	11.8	0.17				
1999	44,946	18.4	0.19				

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> Before 1994, tax receipts for Seller-Financed Motor Vehicles were deposited under object code 3004 (Motor Vehicle Sales and Use tax)



Source(s): Glenn Hegar, Texas Comptroller

## **NATURAL GAS PRODUCTION TAX**

### **Revenue Objects 3291 \***

#### **RATE & BASE**

<i>State:</i>	7.5% of market value of natural/casinghead gas produced/saved in the state; condensate is taxed at oil production tax rate of 4.6% and is included in Natural Gas Production tax revenues
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	“High-cost” natural gas

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	3,559
<i>Payment Cycle:</i>	Monthly (annually, if qualified)
<i>Due Date:</i>	20th day of the second month succeeding production (for annual filers, February 20th for preceding year)
<i>Remitted By:</i>	Oil and natural gas producers and purchasers

#### **LEGAL CITATION(S)**

Texas Tax Code, §§ 201.051 - 201.055, 201.201 (the “Gas Production” tax)

#### **ENACTED**

42nd Legislature (1931) 2% of value

#### **RATE & BASE CHANGES**

44th Legislature (1936) 3% of value  
47th Legislature (1941) 5.2% of value  
51st Legislature (1950) 5.72% of value until 8/31/51 (temporary)  
52nd Legislature (1951) 5.72% of value after 9/1/51 (permanent)  
53rd Legislature (1954) 9% of value until 1955, 8% until 1956, and 7% thereafter  
61st Legislature (1969) 7.5% of value  
71st Legislature (1989) Exemption for “high-cost” natural gas until 8/31/01  
73rd Legislature (1993) Exemption for 3-year inactive wells, coproduction projects  
74th Legislature (1995) Modification (rate reduction) and extension for “high-cost” natural gas  
75th Legislature (1997) Exemption for 2-year inactive wells; exemption for flared/vented natural gas  
76th Legislature (1999) Extension of modified “high-cost” natural gas program  
78th Legislature (2003) Made “high-cost” natural gas program permanent  
79th Legislature (2005) Credits for qualifying low-producing wells; credits for reactivated orphan wells  
80th Legislature (2007) Made low-price exemption for low-producing wells permanent

#### **ALLOCATION**

GR Account - Foundation School 0193 — 25%  
General Revenue Fund 0001 — 75%

Note: SJR 1, passed by the 83rd Legislature, Third Called Session, and approved by voters on November 4, 2014, provides that up to one-half of the revenue associated with crude oil and natural gas production taxes that had been subject to transfer from GR to the Economic Stabilization (Rainy Day) Fund each year would henceforth be directed from GR to the state highway fund; the remainder would continue to be transferred from GR to the Rainy Day Fund.

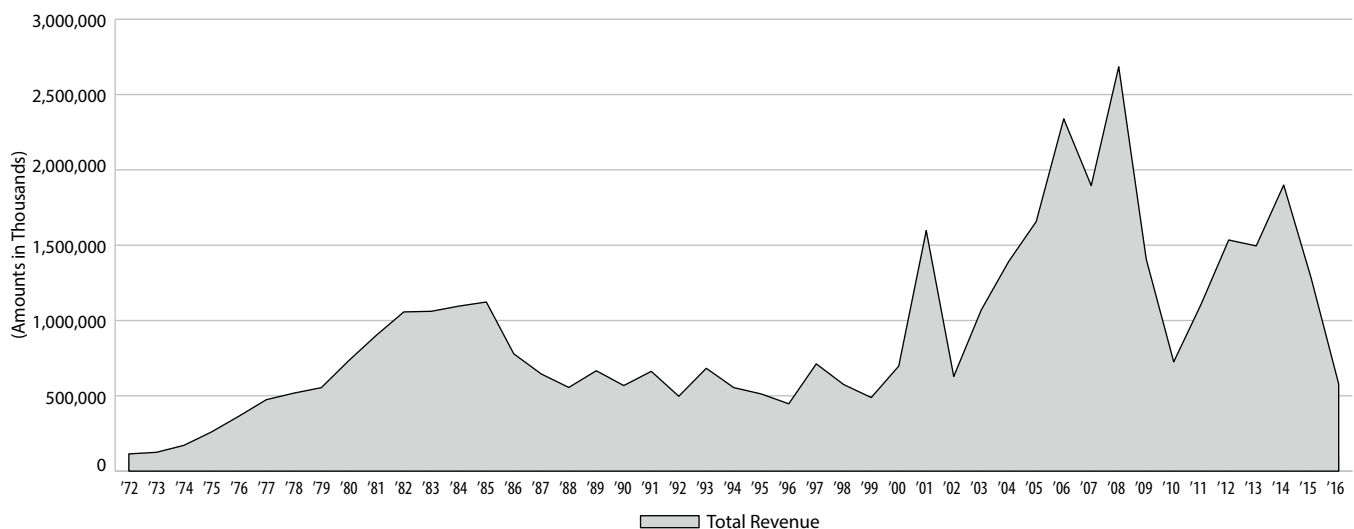
**NATURAL GAS PRODUCTION TAX (concluded)**  
**Revenue Objects 3291 \***

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 114,380	-	4.88	2000	\$ 697,666	42.8	2.76
1973	124,902	9.2	4.83	2001	1,596,886	128.9	5.86
1974	171,068	37.0	5.65	2002	628,497	(60.6)	2.39
1975	259,570	51.7	7.69	2003	1,069,864	70.2	4.09
1976	364,588	40.5	9.32	2004	1,392,436	30.2	4.99
1977	474,318	30.1	10.73	2005	1,657,086	19.0	5.55
1978	517,844	9.2	10.29	2006	2,339,147	41.2	6.97
1979	554,354	7.1	10.28	2007	1,895,488	(19.0)	5.13
1980	734,247	32.5	11.57	2008	2,684,648	41.6	6.49
1981	901,931	22.8	11.65	2009	1,407,739	(47.6)	3.72
1982	1,057,057	17.2	12.22	2010	725,538	(48.5)	2.05
1983	1,061,227	0.4	12.49	2011	1,109,718	53.0	2.86
1984	1,095,485	3.2	11.77	2012	1,534,630	38.3	3.48
1985	1,122,848	2.5	10.47	2013	1,495,203	(2.6)	3.13
1986	778,703	(30.6)	7.61	2014	1,899,582	27.0	3.73
1987	644,862	(17.2)	6.28	2015	1,280,410	(32.6)	2.48
1988	555,647	(13.8)	4.49	2016	578,799	(54.8)	1.19
1989	666,496	19.9	5.16				
1990	568,131	(14.8)	4.17				
1991	662,599	16.6	4.44				
1992	497,129	(25.0)	3.14				
1993	682,926	37.4	4.01				
1994	554,484	(18.8)	3.06				
1995	512,411	(7.6)	2.72				
1996	447,102	(12.7)	2.26				
1997	712,223	59.3	3.36				
1998	574,584	(19.3)	2.54				
1999	488,583	(15.0)	2.07				

\* Revenue object code 3656 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections

† No revenue deposited to trust



Source(s): Glenn Hegar, Texas Comptroller

**NON-BYPASSABLE UTILITY FEE**  
**Revenue Object 3244**

**RATE & BASE**

<i>State:</i>	The rate is set annually by the Texas Public Utility Commission, not to exceed 65 cents per megawatt hour. Starting Sept. 1, 2013, and extending through Sept. 1, 2017, the fee is statutorily set to zero.
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Texas Public Utility Commission
<i>No. of Fee Payers:</i>	7 (through fiscal 2017, utilities are not required to collect this fee as the rate per kWh is zero)
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	20th day of the month for the preceding month
<i>Remitted By:</i>	Transmission and distribution electric utilities participating in competitive markets

**LEGAL CITATION(S)**

Texas Utilities Code, §§ 39.903, 39.9039

**ENACTED**

76th Legislature (1999) Rate not to exceed 50 cents per megawatt hour, except from 1/1/02 to 12/31/06 the rate may be up to 65 cents per megawatt hour to the extent necessary to collect sufficient revenue to fund the initial 10% discount for low-income electric customers

**RATE & BASE CHANGES**

77th Legislature (2001) Not to exceed 65 cents per megawatt hour  
83rd Legislature (2013) Fee set to zero, effective 9/11/13  
84th Legislature (2015) Fee continued at zero through Sept. 1, 2017, effective 6/17/15

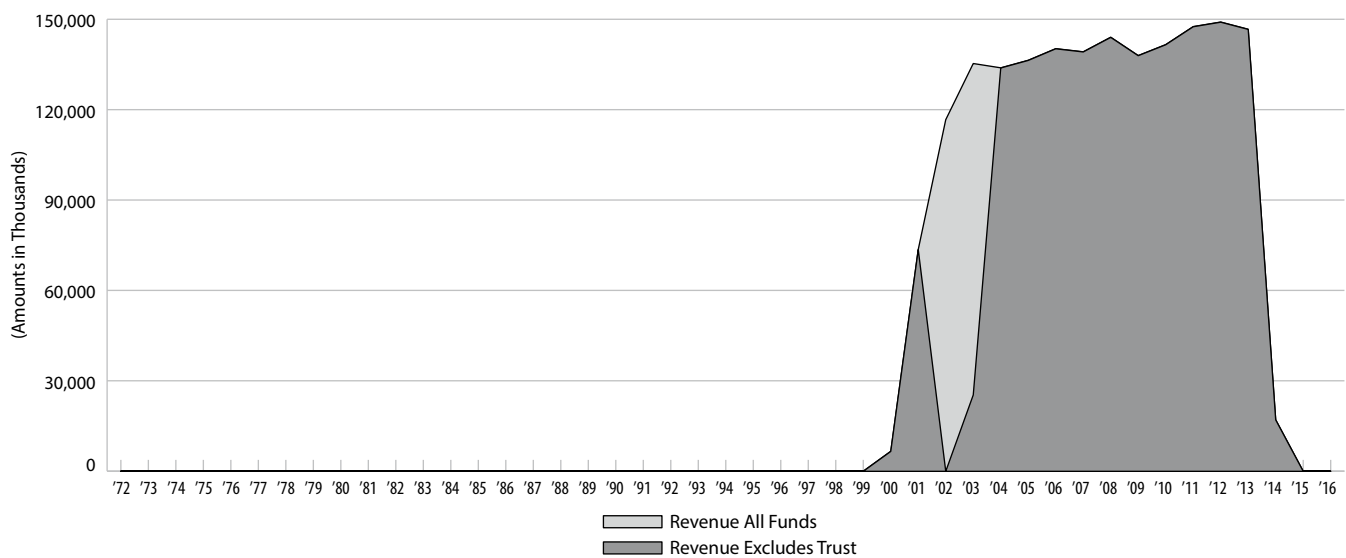
**ALLOCATION**

GR Account System Benefit 5100 — 100%

**NON-BYPASSABLE UTILITY FEE (concluded)**  
**Revenue Object 3244**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 0	\$ 0	-	0.00	2000	\$ 6,603	\$ 6,603	-	0.07
1973	0	0	-	0.00	2001	73,596	73,596	1,014.6	0.70
1974	0	0	-	0.00	2002	116,670	0	(100.0)	0.00
1975	0	0	-	0.00	2003	135,312	25,347	-	0.23
1976	0	0	-	0.00	2004	133,883	133,883	428.2	1.10
1977	0	0	-	0.00	2005	136,392	136,392	1.9	1.04
1978	0	0	-	0.00	2006	140,253	140,253	2.8	0.99
1979	0	0	-	0.00	2007	139,205	139,205	(0.7)	0.88
1980	0	0	-	0.00	2008	144,043	144,043	3.5	0.74
1981	0	0	-	0.00	2009	137,963	137,963	(4.2)	0.88
1982	0	0	-	0.00	2010	141,594	141,594	2.6	0.94
1983	0	0	-	0.00	2011	147,571	147,571	4.2	0.87
1984	0	0	-	0.00	2012	149,085	149,085	1.0	0.84
1985	0	0	-	0.00	2013	146,695	146,695	(1.6)	0.78
1986	0	0	-	0.00	2014	17,065	17,065	(88.4)	0.09
1987	0	0	-	0.00	2015	6	6	(100.0)	0.00
1988	0	0	-	0.00	2016	3	3	(53.6)	0.00
1989	0	0	-	0.00					
1990	0	0	-	0.00					
1991	0	0	-	0.00					
1992	0	0	-	0.00					
1993	0	0	-	0.00					
1994	0	0	-	0.00					
1995	0	0	-	0.00					
1996	0	0	-	0.00					
1997	0	0	-	0.00					
1998	0	0	-	0.00					
1999	0	0	-	0.00					



Source(s): Glenn Hegar, Texas Comptroller

**OIL PRODUCTION TAX**  
**Revenue Object 3290 \***

**RATE & BASE**

<i>State:</i>	4.6% of the market value of oil produced in the state
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Production from approved enhanced oil recovery (EOR) projects; production from EOR projects using anthropogenic carbon dioxide;

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	9,135
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	25th day of the month for the preceding month's production
<i>Remitted By:</i>	Oil producers and purchasers

**LEGAL CITATION(S)**

Texas Tax Code, § 202.051, 202.052, 202.151

**ENACTED**

29th Legislature (1905) 1% of value

**RATE & BASE CHANGES**

30th Legislature (1907) 0.5% of value  
36th Legislature (1919) 1.5% of value  
38th Legislature (1923) 2% of value  
43rd Legislature (1933) \$0.02 per barrel or 2% of value  
44th Legislature (1936) \$0.0275 per barrel  
47th Legislature (1941) \$0.04125 per barrel  
51st Legislature (1950) 4.5375% of value (temporary)  
52nd Legislature (1951) 4.6% of value  
71st Legislature (1989) Reduced rate to 2.3% of value on EOR projects  
73rd Legislature (1993) Exemption for 3-year inactive wells  
75th Legislature (1997) Exemption for 2-year inactive wells  
76th Legislature (1999) Low-price exemption for low-yield wells (temporary)  
79th Legislature (2005) Low-price exemption for low-producing wells; exemption for orphan wells; tax credit on marginal oil wells with enhanced efficiency equipment installed  
80th Legislature (2007) Made low-price exemption for low-producing wells permanent  
80th Legislature (2007) Tax credit for enhanced efficiency equipment  
80th Legislature (2007) Tax exemption for EOR projects using anthropogenic CO<sub>2</sub>  
81st Legislature (2009) Extended time limit on tax exemption for EOR projects using anthropogenic CO<sub>2</sub> from 7 to 30 years

**ALLOCATION**

GR Account - Foundation School 0193 — 25%  
General Revenue Fund 0001 — 75%

Note: SJR 1, passed by the 83rd Legislature, Third Called Session, and approved by voters on November 4, 2014, provides that up to one-half of the revenue associated with crude oil and natural gas production taxes that had been subject to transfer from GR to the Economic Stabilization (Rainy Day) Fund each year would henceforth be directed from GR to the state highway fund; the remainder would continue to be transferred from GR to the Rainy Day Fund.

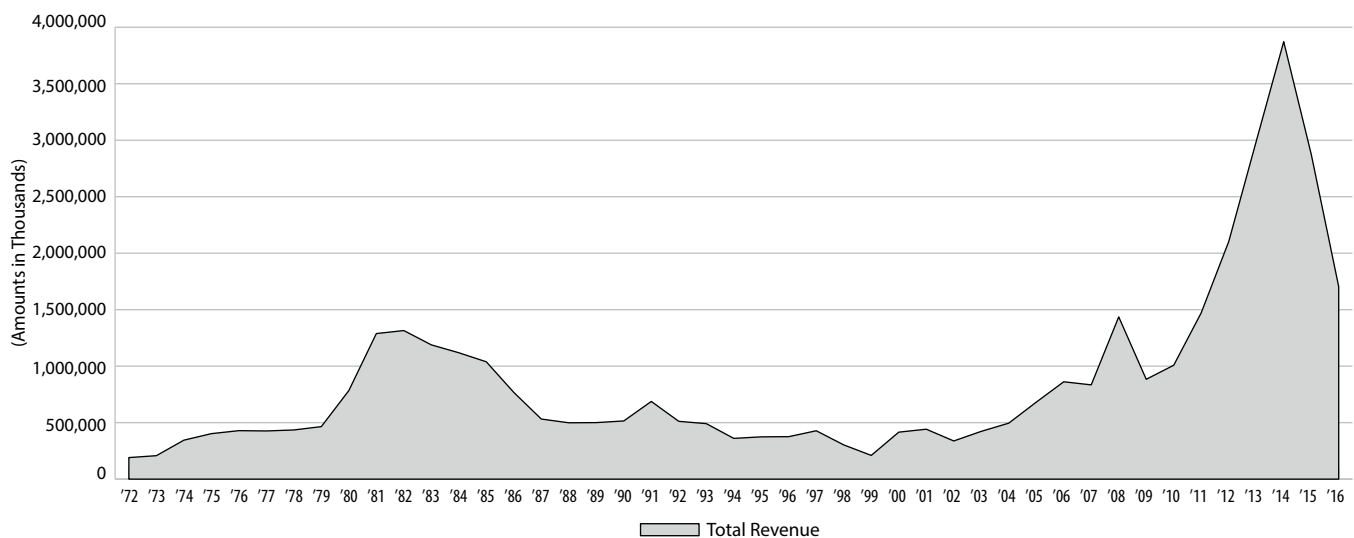
**OIL PRODUCTION TAX (concluded)**  
**Revenue Object 3290 \***

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 190,785	-	8.14	2000	\$ 415,800	98.0	1.64
1973	207,522	8.8	8.03	2001	441,922	6.3	1.62
1974	344,832	66.2	11.40	2002	337,857	(23.5)	1.29
1975	402,553	16.7	11.93	2003	422,879	25.2	1.62
1976	429,105	6.6	10.96	2004	495,443	17.2	1.77
1977	426,373	(0.6)	9.65	2005	681,294	37.5	2.28
1978	435,223	2.1	8.65	2006	861,659	26.5	2.57
1979	464,820	6.8	8.62	2007	834,374	(3.2)	2.26
1980	783,772	68.6	12.35	2008	1,436,243	72.1	3.47
1981	1,288,669	64.4	16.65	2009	883,774	(38.5)	2.34
1982	1,315,131	2.1	15.20	2010	1,008,074	14.1	2.85
1983	1,188,483	(9.6)	13.99	2011	1,472,111	46.0	3.79
1984	1,118,635	(5.9)	12.02	2012	2,102,389	42.8	4.77
1985	1,038,534	(7.2)	9.69	2013	2,989,542	42.2	6.26
1986	767,558	(26.1)	7.50	2014	3,872,279	29.5	7.59
1987	531,872	(30.7)	5.18	2015	2,877,020	(25.7)	5.57
1988	498,624	(6.3)	4.03	2016	1,703,903	(40.8)	3.51
1989	500,205	0.3	3.88				
1990	514,966	3.0	3.78				
1991	687,770	33.6	4.61				
1992	511,526	(25.6)	3.23				
1993	491,256	(4.0)	2.89				
1994	360,683	(26.6)	1.99				
1995	374,209	3.7	1.98				
1996	375,958	0.5	1.90				
1997	428,140	13.9	2.02				
1998	302,899	(29.3)	1.34				
1999	210,023	(30.7)	0.89				

\* Revenue object code 3662 (relating to funds remitted under protest was available through fiscal 2004 for use with this revenue source in calculating net collections

† No revenue deposited to trust



Source(s): Glenn Hegar, Texas Comptroller

**OIL WELL SERVICE TAX**  
**Revenue Object 3296**

**RATE & BASE**

<i>State:</i>	2.42% of the gross amount received for specific services to oil and natural gas wells
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	173
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	20th day of the month for the preceding month
<i>Remitted By:</i>	Oil and natural gas well servicers

**LEGAL CITATION(S)**

Texas Tax Code, § 191.082, 191.083

**ENACTED**

47th Legislature (1941) 2.2% of the value of taxable services

**RATE & BASE CHANGES**

52nd Legislature (1951) 2.42% of gross receipts

**ALLOCATION**

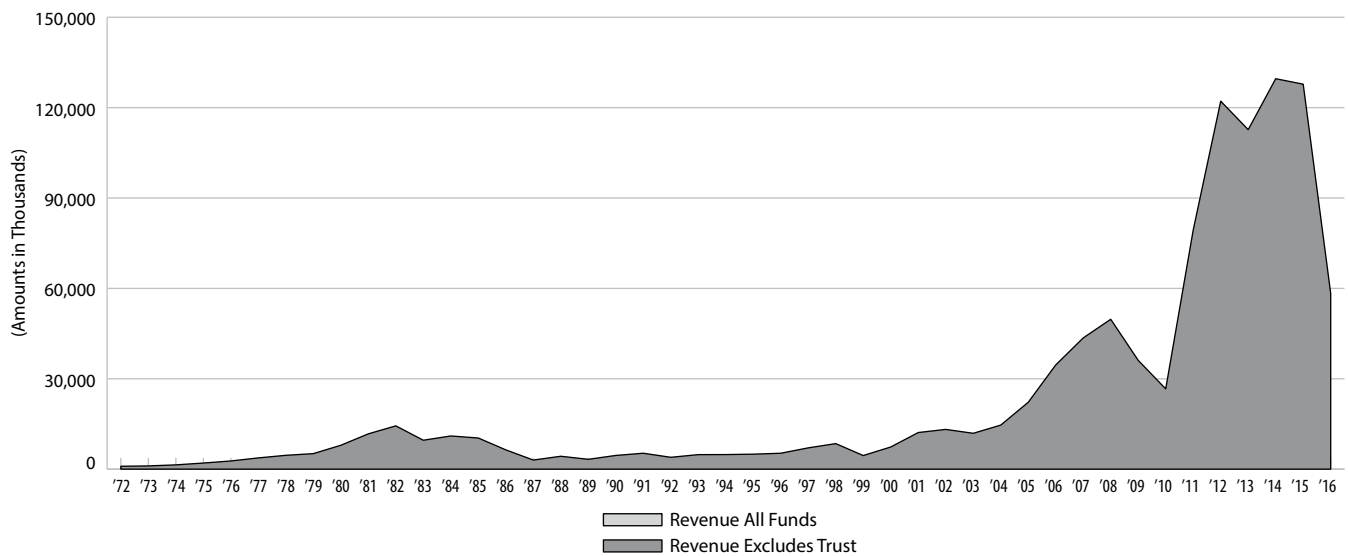
GR Account - Foundation School 0193 — 25%  
General Revenue Fund 0001 — 75%



**OIL WELL SERVICE TAX (concluded)**  
**Revenue Object 3296**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
1972	\$ 963	\$ 963	-	0.04	2000	\$ 7,359	\$ 7,359	63.0	0.03
1973	1,073	1,073	11.4	0.04	2001	12,156	12,156	65.2	0.04
1974	1,426	1,426	32.9	0.05	2002	13,196	13,196	8.6	0.05
1975	2,026	2,026	42.0	0.06	2003	11,899	11,899	(9.8)	0.05
1976	2,718	2,718	34.2	0.07	2004	14,627	14,627	22.9	0.05
1977	3,736	3,736	37.5	0.08	2005	22,199	22,199	51.8	0.07
1978	4,595	4,595	23.0	0.09	2006	34,591	34,591	55.8	0.10
1979	5,152	5,152	12.1	0.10	2007	43,564	43,564	25.9	0.12
1980	7,930	7,930	53.9	0.13	2008	49,749	49,749	14.2	0.12
1981	11,717	11,717	47.8	0.15	2009	36,114	36,114	(27.4)	0.10
1982	14,372	14,372	22.7	0.17	2010	26,650	26,650	(26.2)	0.08
1983	9,601	9,601	(33.2)	0.11	2011	79,381	79,381	197.9	0.20
1984	11,018	11,018	14.8	0.12	2012	122,149	122,149	53.9	0.28
1985	10,341	10,341	(6.1)	0.10	2013	112,698	112,698	(7.7)	0.24
1986	6,404	6,404	(38.1)	0.06	2014	129,604	129,604	15.0	0.25
1987	3,018	3,018	(52.9)	0.03	2015	127,793	127,793	(1.4)	0.25
1988	4,281	4,281	41.9	0.03	2016	58,351	58,351	(54.3)	0.12
1989	3,272	3,272	(23.6)	0.03					
1990	4,550	4,550	39.1	0.03					
1991	5,285	5,285	16.2	0.04					
1992	3,936	3,936	(25.5)	0.02					
1993	4,820	4,820	22.5	0.03					
1994	4,842	4,842	0.5	0.03					
1995	4,976	4,976	2.8	0.03					
1996	5,285	5,285	6.2	0.03					
1997	7,073	7,073	33.8	0.03					
1998	8,480	8,480	19.9	0.04					
1999	4,515	4,515	(46.8)	0.02					



Source(s): Glenn Hegar, Texas Comptroller

**PROFESSIONAL FEES**  
**Revenue Object 3175**

**RATE & BASE**

<i>State:</i>	Varies by agency and profession
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	See Appendix E
<i>No. of Fees Collected:</i>	2.5 million
<i>Payment Cycle:</i>	Annual renewals (some biennial or multi-year renewals)
<i>Due Date:</i>	May be staggered
<i>Remitted by:</i>	Organizations / agencies governing fee-paying licensees

**LEGAL CITATION(S)**

See Appendix E

**ENACTED**

See Appendix E

**RATE & BASE CHANGES**

- 70th Legislature (1987) \$110 temporary fee increase on selected professions
- 72nd Legislature (1991) \$200 fee increase on selected professions
- 77th Legislature (2001) Removed fees collected by State Board of Public Accountancy, Board of Architectural Examiners, and Board of Professional Engineers from General Revenue to be deposited to Texas Treasury Safekeeping Trust Company
- 78th Legislature (2003) \$200 fee increase on selected professions
- 81st Legislature (2009) Removed fees collected by Department of Savings and Mortgage Lending, Department of Banking, Credit Union Department and Office of Consumer Credit Commissioner from General Revenue to be deposited to Texas Treasury Safekeeping Trust Company
- 82nd Legislature (2011) Removed fees collected by the Real Estate Commission from General Revenue to be deposited to Texas Treasury Safekeeping Trust Company
- 84th Legislature (2015) Repealed \$200 fee increases on selected professions

**ALLOCATION**

General Revenue Fund 0001, various dedicated accounts, trust fund in the state treasury, on account with the Texas Safekeeping Trust Company, or retained at the local level

**PROFESSIONAL FEES (concluded)**  
**Revenue Object 3175**

**NET COLLECTIONS**  
 (Amounts in Thousands)

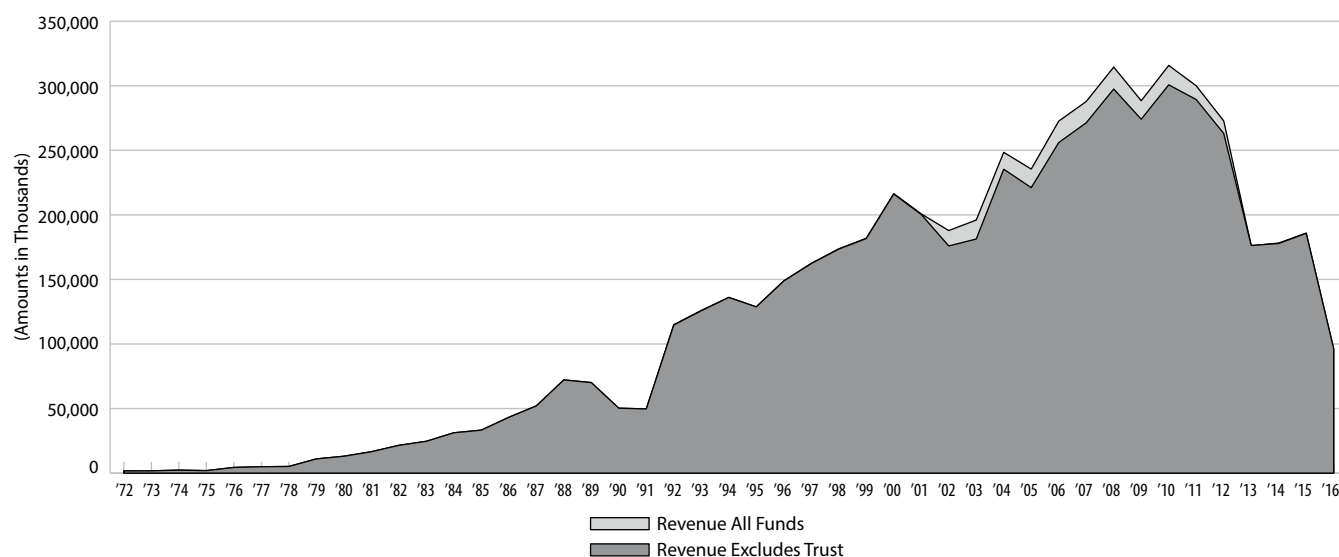
Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 1,684	\$ 1,684	-	0.33
1973	1,752	1,752	4.0	0.31
1974	2,305	2,305	31.6	0.33
1975	1,918	1,918	(16.8)	0.25
1976	4,380	4,380	128.3	0.48
1977	4,932	4,932	12.6	0.45
1978	5,130	5,130	4.0	0.42
1979	10,977	10,977	114.0	0.83
1980	13,055	13,055	18.9	0.77
1981	16,544	16,544	26.7	0.77
1982	21,498	21,498	29.9	0.91
1983	24,632	24,632	14.6	1.11
1984	31,224	31,224	26.8	1.25
1985	33,268	33,268	6.5	1.12
1986	43,218	43,218	29.9	1.07
1987	52,011	52,011	20.3	1.49
1988 <sup>1</sup>	72,164	72,164	38.7	2.05
1989	70,100	70,100	(2.9)	1.89
1990	50,278	50,278	(28.3)	1.24
1991	49,683	49,683	(1.2)	1.15
1992	114,941	114,704	130.9	2.13
1993	125,984	125,744	9.6	1.81
1994	136,084	136,048	8.2	1.69
1995	128,776	128,743	(5.4)	1.53
1996 <sup>2</sup>	148,897	148,762	15.5	1.64
1997	162,438	162,301	9.1	1.74
1998	173,691	173,485	6.9	1.88
1999	181,881	181,660	4.7	1.74

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
2000	\$ 216,458	\$ 216,154	19.0	2.21
2001	200,777	200,295	(7.3)	1.89
2002	187,863	175,952	(12.2)	1.63
2003	195,997	181,302	3.0	1.62
2004	248,437	235,391	29.8	1.93
2005	235,484	221,084	(6.1)	1.68
2006	272,614	256,016	15.8	1.81
2007	287,805	271,336	6.0	1.71
2008	314,482	297,479	9.6	1.53
2009	288,401	274,093	(7.9)	1.76
2010	315,763	300,738	9.7	1.99
2011	300,013	289,335	(3.8)	1.70
2012	272,797	263,100	(9.1)	1.49
2013 <sup>3</sup>	176,130	176,286	(33.0)	0.94
2014	178,157	177,868	0.9	0.90
2015	185,900	185,741	4.4	0.88
2016	96,298	96,246	(48.2)	0.41

<sup>1</sup> Revenue Object codes 3181-3187 were used from 1988-1993 and have since expired.

<sup>2</sup> Before fiscal 1996, Revenue Object code 3171 was used for Gross Receipts Permit fees and not used in calculating the net collections for this revenue source. Beginning in 1996, object code 3171 used for \$200 increase in certain professional fees per HB 11, 72nd Legislature, 1st Called Session; \$200 increase repealed by the 84th Legislature (2015). Revenue Object code 3171 inactive at time of writing due to repeal.

<sup>3</sup> Securities fees were removed and deposited to object code 3186 beginning in 2013.



Source(s): Glenn Hegar, Texas Comptroller

**PUBLIC UTILITY GROSS RECEIPTS ASSESSMENT**  
**Revenue Object 3230 \***

**RATE & BASE**

*State:* 1/6 of 1% of gross receipts  
*Local:* None  
*Federal:* None  
*Major Exemptions:* None

**ADMINISTRATION**

*Agency:* Comptroller Of Public Accounts  
*Number of Taxpayers:* 624  
*Payment Cycle:* Annually (may be paid quarterly)  
*Due Date:* August 15th for previous 12-month period (15th of Aug, Nov, Feb, and May for quarterly filers)  
*Remitted By:* Each public utility, retail electric provider and electric cooperative under jurisdiction of Public Utility Commission of Texas, including interchange telecommunications carriers

**LEGAL CITATION(S)**

Texas Utilities Code, §§ 16.001 - 16.004

**ENACTED**

64th Legislature (1975) One-sixth of 1% of gross receipts (first due 8/31/76)

**RATE & BASE CHANGES**

76th Legislature (1999) To the entities to which the assessment is applied, added retail electric providers and electric cooperatives (eff. 9/1/99)

**ALLOCATION**

General Revenue Fund 0001 — 100%

**PUBLIC UTILITY GROSS RECEIPTS ASSESSMENT (concluded)****Revenue Object 3230 \*****NET COLLECTIONS**

(Amounts in Thousands)

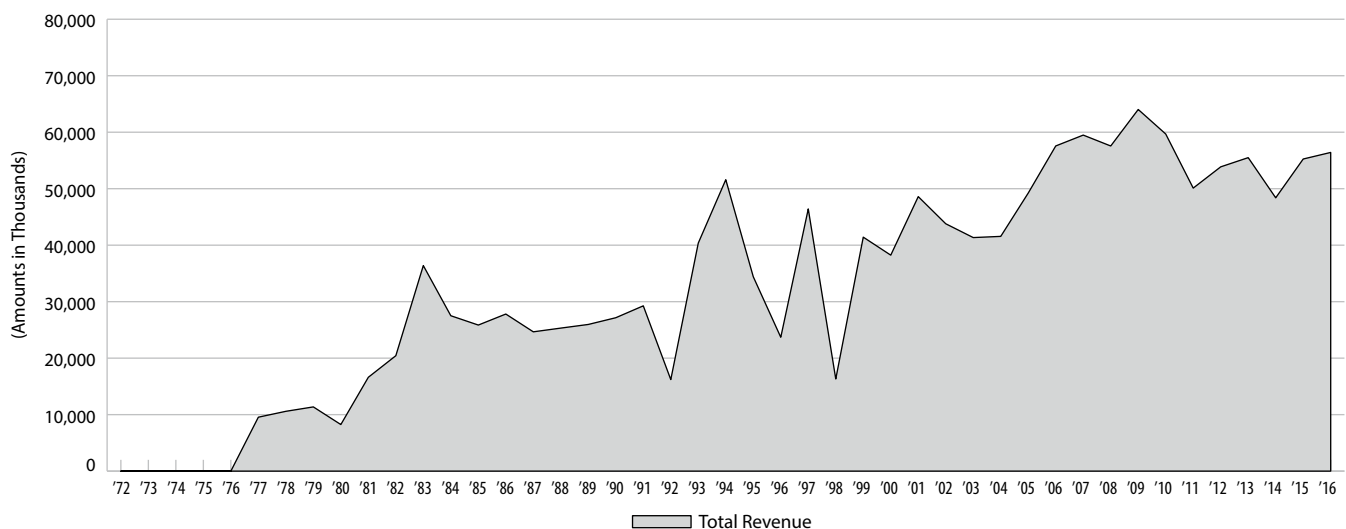
Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Taxes
1972	\$ 0	-	0.00	1999 <sup>1</sup>	41,423	154.0	0.18
1973	0	-	0.00	2000	\$ 38,234	(7.7)	0.15
1974	0	-	0.00	2001	48,597	27.1	0.18
1975	0	-	0.00	2002	43,791	(9.9)	0.17
1976	0	-	0.00	2003	41,346	(5.6)	0.16
1977	9,547	-	0.22	2004	41,557	0.5	0.15
1978	10,587	10.9	0.21	2005	49,231	18.5	0.16
1979	11,369	7.4	0.21	2006	57,566	16.9	0.17
1980	8,245	(27.5)	0.13	2007	59,490	3.3	0.16
1981	16,612	101.5	0.21	2008	57,560	(3.2)	0.14
1982	20,433	23.0	0.24	2009	64,025	11.2	0.17
1983	36,390	78.1	0.43	2010	59,682	(6.8)	0.17
1984	27,509	(24.4)	0.30	2011	50,107	(16.0)	0.13
1985	25,859	(6.0)	0.24	2012	53,868	7.5	0.12
1986	27,810	7.5	0.27	2013	55,498	3.0	0.12
1987	24,660	(11.3)	0.24	2014	48,385	(12.8)	0.09
1988	25,321	2.7	0.20	2015	55,254	14.2	0.11
1989	25,966	2.5	0.20	2016	56,419	2.1	0.12
1990	27,157	4.6	0.20				
1991	29,262	7.8	0.20				
1992 <sup>1</sup>	16,203	(44.6)	0.10				
1993 <sup>1</sup>	40,375	149.2	0.24				
1994 <sup>2</sup>	51,596	27.8	0.28				
1995	34,413	(33.3)	0.18				
1996 <sup>1</sup>	23,697	(31.1)	0.12				
1997 <sup>1</sup>	46,422	95.9	0.22				
1998 <sup>1,2</sup>	16,311	(64.9)	0.07				

\* Revenue object code 3669 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> Adjustment for deposit posting errors: \$11.8 million in 1992-93; \$10.1 million in 1996-97 (see Gas, Electric & Water Utility tax); and \$3.5 million in 1998-99

<sup>2</sup> Fiscal 1994 includes \$17.4 million in speed-up; fiscal 1998 reflects \$19.8 million associated with expiration of speed-up



Source(s): Glenn Hegar, Texas Comptroller

## **SALES AND USE TAX**

### **Revenue Objects 3010, 3100 - 3103, and 3105**

#### **RATE & BASE**

<i>State:</i>	6.25% of the retail sale price of taxable tangible personal property and selected services
<i>Local:</i>	Cities, MTAs, counties, and other local taxing jurisdictions may levy local sales taxes subject to the restriction that the total local rate cannot exceed 2%
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Sales for resale, items taxed by other law, sales to governments, sales to certain charitable organizations, food for home consumption, certain health care items, residential and manufacturing gas and electricity, many items used in agriculture, raw materials used in manufacturing, three-day clothing holiday

#### **ADMINISTRATION**

<i>Agency:</i>	Comptroller of Public Accounts
<i>Number of Taxpayers:</i>	651,120
<i>Payment Cycle:</i>	Monthly, quarterly, and annually with option to prepay
<i>Due Date:</i>	Monthly: 20th day of the month for the preceding month; 15th day of the current month for prepayers
<i>Remitted By:</i>	Sellers and users of taxable items

#### **LEGAL CITATION(S)**

Texas Tax Code, §§ 151.051, 151.0515, 151.101, 151.801 ("the Limited Sales, Excise, and Use" tax)  
Texas Tax Code, §§ 321.103, 321.104 (cities)  
Texas Tax Code, §§ 322.101, 322.102 (certain transit authorities)  
Texas Tax Code, §§ 323.103, 323.104, 323.105 (counties and crime control districts)  
Texas Tax Code, §§ 324.021, 324.022 (hospital districts)  
Texas Tax Code, §§ 325.021, 325.022 (county landfills and criminal detention centers)  
Texas Tax Code, §§ 327.003, 327.004 (municipal street maintenance)

#### **ENACTED**

57th Legislature (1961) 2% (eff. 9/1/61)

#### **RATE & BASE CHANGES**

See Appendix C for base changes

60th Legislature (1968) 3% (eff. 10/2/68)  
61st Legislature (1969) 3.25% (eff. 10/1/69)  
62nd Legislature (1971) 4% (eff. 7/1/71)  
68th Legislature (1984) 4.125% (eff. 10/2/84)  
69th Legislature (1986) 5.25% (eff. 1/1/87 - temporary)  
70th Legislature (1987) 6% (eff. 10/1/87)  
71st Legislature (1990) 6.25% (eff. 7/1/90)  
77th Legislature (2001) Additional 2% sales tax on fireworks (eff. 10/31/01); 1% surcharge (TERP) on certain off-road equipment  
78th Legislature (2003) 1% surcharge (for TERP program) on certain off-road equipment increased to 2%  
84th Legislature (2015) Repealed 2% sales tax on fireworks (eff. 9/01/15); 2% TERP surcharge decreased to 1.5%

#### **ALLOCATION**

State Highway Fund 0006 — Sales tax collections (est) on motor lubricants

Sales tax collections (est) on certain sporting goods sales:

6% for the Texas Historical Commission

94% for the Parks and Wildlife Department

GR Account - Rural Volunteer Fire Department Insurance 5066 — est revenue corresponding to a 2% tax on the retail sale of fireworks

GR Account - Texas Emissions Reduction Plan 5071 — 1.5% diesel equipment surcharge

General Revenue Fund 0001 and/or certain Events Trust Funds — remainder of revenue

Note: SJR 5, passed by the 84th Legislature and approved by voters on November 3, 2015, directs the net annual revenue derived from items taxable under Chapter 151, Tax Code (the state sales tax)--following the first \$28 billion in collections and up to \$2.5 billion yearly--be transferred to the State Highway Fund. This provision would take effect in fiscal 2018, remain in force through fiscal 2032, and may be extended by Legislative action.

Note: Though sales tax on sporting goods is allocated 94%/6% actual amounts to the entities depends on The General Appropriations Act.

**SALES AND USE TAX (concluded)**  
**Revenue Objects 3010, 3100 - 3103, and 3105**

**NET COLLECTIONS**  
 (Amounts in Thousands)

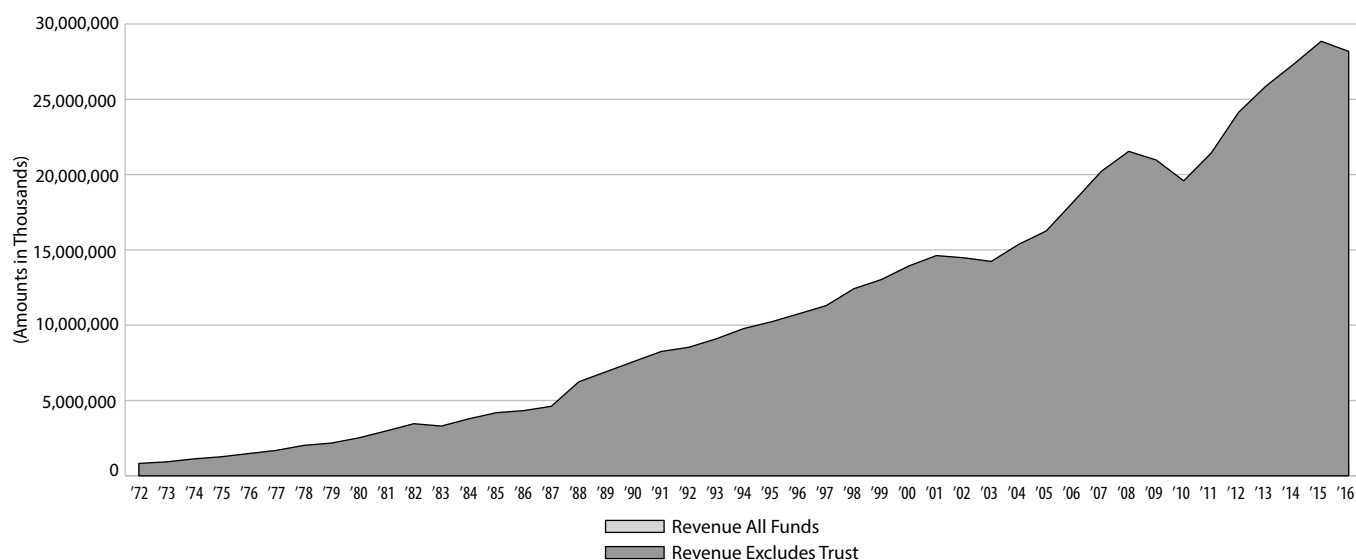
Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
1972	\$ 824,024	\$ 824,024	-	35.15	2000	\$ 13,930,223	\$ 13,930,219	6.9	55.10
1973	926,211	926,211	12.4	35.85	2001	14,620,930	14,620,929	5.0	53.69
1974	1,126,239	1,126,239	21.6	37.22	2002	14,476,616	14,476,616	(1.0)	55.09
1975	1,266,637	1,266,637	12.5	37.53	2003	14,234,160	14,234,160	(1.7)	54.48
1976	1,478,372	1,478,372	16.7	37.77	2004	15,368,233	15,368,233	8.0	55.06
1977	1,689,043	1,689,043	14.3	38.21	2005	16,258,035	16,258,035	5.8	54.49
1978	2,023,721	2,023,721	19.8	40.21	2006	18,218,356	18,218,356	12.1	54.31
1979	2,174,266	2,174,266	7.4	40.34	2007	20,208,699	20,208,699	10.9	54.68
1980	2,521,374	2,521,374	16.0	39.75	2008	21,541,624	21,541,624	6.6	52.09
1981	2,982,858	2,982,858	18.3	38.53	2009	20,965,737	20,965,737	(2.7)	55.43
1982	3,461,092	3,461,092	16.0	40.01	2010	19,584,153	19,584,153	(6.6)	55.37
1983	3,304,614	3,304,614	(4.5)	38.89	2011 <sup>2</sup>	21,476,612	21,431,610	9.4	55.16
1984	3,784,765	3,784,765	14.5	40.67	2012	24,158,680	24,141,892	12.6	54.77
1985	4,191,844	4,191,844	10.8	39.10	2013	25,932,245	25,890,298	7.2	54.19
1986	4,329,871	4,329,872	3.3	42.32	2014	27,363,711	27,328,968	5.6	53.59
1987	4,616,533	4,616,533	6.6	44.97	2015	28,883,117	28,850,614	5.6	55.82
1988	6,242,907	6,242,907	35.2	50.49	2016 <sup>3</sup>	28,221,989	28,179,244	(2.3)	58.13
1989	6,914,695	6,914,695	10.8	53.58					
1990	7,589,434	7,589,434	9.8	55.67					
1991	8,255,678	8,255,678	8.8	55.33					
1992	8,534,512	8,534,512	3.4	53.85					
1993	9,096,928	9,096,926	6.6	53.48					
1994	9,780,352	9,780,352	7.5	54.02					
1995	10,222,684	10,222,685	4.5	54.21					
1996 <sup>1</sup>	10,755,593	10,755,593	5.2	54.42					
1997	11,303,449	11,303,446	5.1	53.35					
1998	12,417,754	12,417,759	9.9	54.86					
1999	13,027,213	13,027,218	4.9	55.17					

\* Revenue object code 3658 (relating to funds remitted under protest) was available through fiscal 2004 for use with this revenue source in calculating net collections.

<sup>1</sup> Effective fiscal 1996, revenue object code 3798 (relating to tax refunds for economic development, reinvestment zone/abatement agreements) is used with this revenue source in calculating net collections. Repealed for refunds claimed after October 1, 2011.

<sup>2</sup> Starting in 2011, the Events Trust Fund, Major Events Reimbursement Program Fund (trust), Special Events Trust Fund (repealed), and the Motor Sports and Racing Trust Fund started receiving certain taxes

<sup>3</sup> Revenue object code 3127, previously reported in the Sales and Use Tax profile, was for the Fireworks Tax, effective with fiscal 2002 at a 2% rate; the tax was repealed by the 84th Legislature (2015) beginning fiscal 2016.



Source(s): Glenn Hegar, Texas Comptroller

**SECURITIES FEES**  
**Revenue Object 3186**

**RATE & BASE**

<i>State:</i>	1/10 of 1% of the aggregate amount of securities proposed to be sold and based on the price at which securities are to be offered. \$10,000 fee for filing an application for approval to exempt a stock exchange. \$500 fee for filing initial notice or renewal to claim a secondary trading exemption
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	State Securities Board
<i>No. of Fees Collected:</i>	61,865
<i>Payment Cycle:</i>	N/A
<i>Due Date:</i>	At time of application. Renewals vary by type of security
<i>Remitted by:</i>	Dealers and investment advisors

**LEGAL CITATION(S)**

TEX. REV. CIV. STAT. ANN. art. 581-35

**ENACTED**

1935 by the 44th Leg.

**RATE & BASE CHANGES**

**ALLOCATION**

General Revenue Fund 0001 — 100%



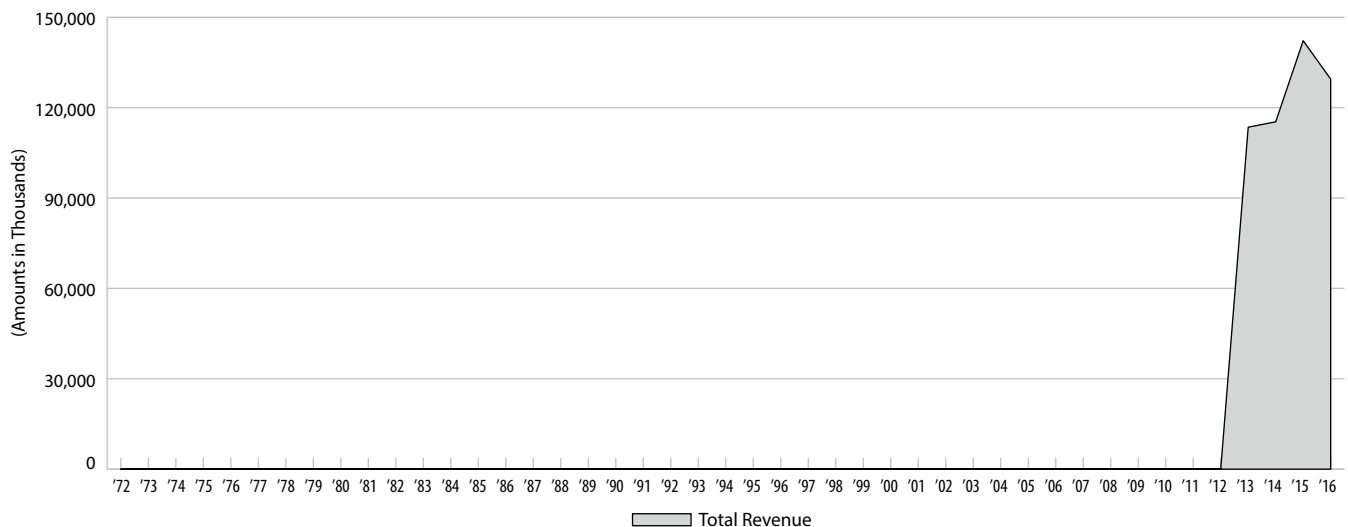
**SECURITIES FEES (concluded)**  
**Revenue Object 3186**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 0	-	0.00	2000	\$ 0	-	0.00
1973	0	-	0.00	2001	0	-	0.00
1974	0	-	0.00	2002	0	-	0.00
1975	0	-	0.00	2003	0	-	0.00
1976	0	-	0.00	2004	0	-	0.00
1977	0	-	0.00	2005	0	-	0.00
1978	0	-	0.00	2006	0	-	0.00
1979	0	-	0.00	2007	0	-	0.00
1980	0	-	0.00	2008	0	-	0.00
1981	0	-	0.00	2009	0	-	0.00
1982	0	-	0.00	2010	0	-	0.00
1983	0	-	0.00	2011	0	-	0.00
1984	0	-	0.00	2012	0	-	0.00
1985	0	-	0.00	2013 <sup>1</sup>	113,508	-	0.61
1986	0	-	0.00	2014	115,301	1.6	0.59
1987	0	-	0.00	2015	142,211	23.3	0.68
1988	0	-	0.00	2016	129,465	(9.0)	0.55
1989	0	-	0.00				
1990	0	-	0.00				
1991	0	-	0.00				
1992	0	-	0.00				
1993	0	-	0.00				
1994	0	-	0.00				
1995	0	-	0.00				
1996	0	-	0.00				
1997	0	-	0.00				
1998	0	-	0.00				
1999	0	-	0.00				

<sup>†</sup> No revenue deposited to trust

<sup>1</sup> Prior to 2013, Securities fees were collected under object code 3175



Source(s): Glenn Hegar, Texas Comptroller

## SPECIAL VEHICLE PERMITS

### Revenue Object 3018

**RATE & BASE**

<i>State:</i>	Fee amounts vary depending on type of permit. Excess weight fee is a \$90 base fee plus additional amounts based on number of counties traveled. Fines for weight over vehicle allowable weight. Oversize/overweight vehicle permits from \$60 for single trip to \$270-\$960 for annual permit. Other permits for oversize portable buildings and mobile homes, hay and timber transports, oil well equipment and other oversize vehicles
<i>Local:</i>	Varies by type of vehicle and number of counties entered
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Texas Department of Motor Vehicles (DMV)
<i>No. of Fees Collected:</i>	665,575
<i>Payment Cycle:</i>	N/A
<i>Due Date:</i>	Annually, when permit is issued or as determined by DMV
<i>Remitted by:</i>	County tax assessor-collectors, DMV, and various government entities

**LEGAL CITATION(S)**

Texas Transportation Code sec. 342.004, 621.353, 621.354, 621.506, 621.507, 622.051, 623.011, 623.0111, 623.0112, 623.017, 623.0171, 623.019, 623.095(c), 623.096, 623.121, 623.124, 623.145, 623.147, 623.181, 623.182, 623.197, 623.322

**ENACTED**

Various dates depending on the fee or permit beginning in 1929 by the 41st Leg.

**RATE & BASE CHANGES**

53rd Legislature (1953) Set rates for excess weight vehicles  
55th Legislature (1957) Set rates for transporting manufactured homes  
56th Legislature (1959) Set rates for transporting over length poles  
58th Legislature (1963) Set rates for transporting oil well servicing  
63rd Legislature (1973) Set rates for transporting unladen lift equipment  
67th Legislature (1981) Set rates for transporting portable buildings  
68th Legislature (1983) Various permit fees increased  
71st Legislature (1989) Various permit fees increased  
72nd Legislature (1991) Set highway maintenance fee; set rates for cotton vehicles and hay transporters  
74th Legislature (1995) Amended rates for manufactured homes  
75th Legislature (1997) Added additional highway maintenance fee and fee for super-heavy vehicles  
77th Legislature (2001) Added \$500 fine for moving a manufactured home without a permit on certain roads  
78th Legislature (2003) Increased fine for moving manufactured home without permit on certain roads to \$1,000; authorized a voluntary fee for priority boarding on the Galveston-Port Bolivar ferry  
79th Legislature (2005) Added 'chile pepper modules' to products eligible for transport on 'cotton vehicle' plated vehicles  
80th Legislature (2007) Increased fees for excess weight, oversize/overweight, portable buildings, mobile homes, lift equipment  
82nd Legislature (2011) Increased excess weight base fee from \$75 to \$90  
83rd Legislature (2013) Added \$1,500 timber transporting fee and \$1,000 ready-mix concrete truck fee  
84th Legislature (2015) Department Motor Vehicles Fund 0010 recreated effective 9/1/2015; certain deposits that had been made to General Revenue deposited to new Fund 0010 beginning 9/1/2016. Added \$960 oversize/overweight fee.

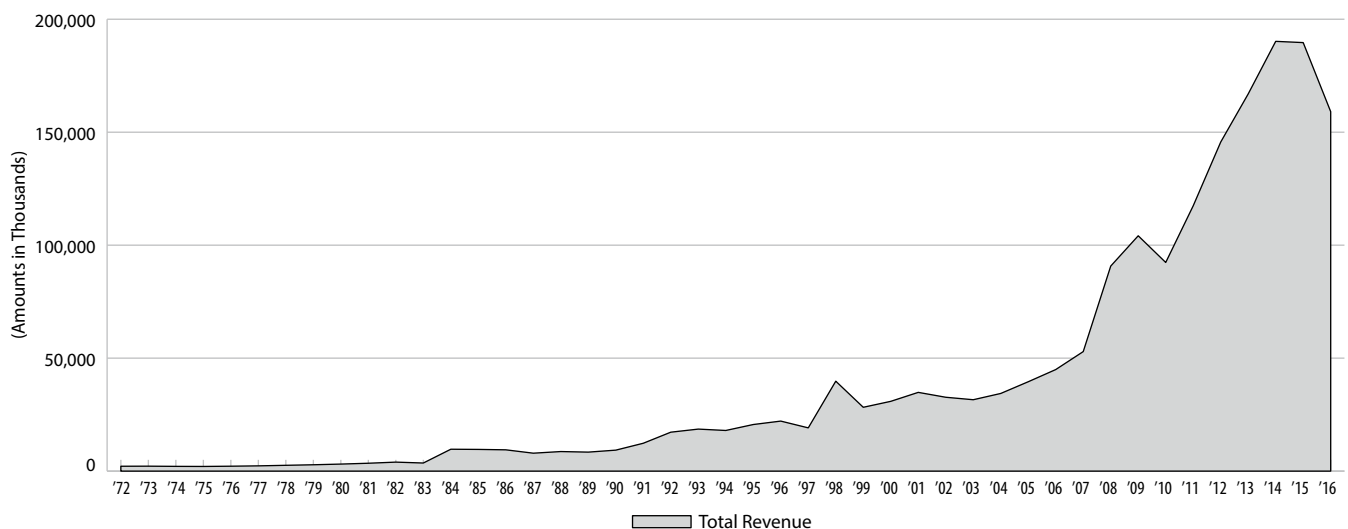
**ALLOCATION**

General Revenue Fund 0001  
State Highway Fund 0006  
Department Motor Vehicles Fund 0010 (beginning 9/1/2016)

**SPECIAL VEHICLE PERMITS (concluded)**  
**Revenue Object 3018**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 2,159	-	0.42	2000	\$ 30,884	9.3	0.32
1973	2,190	1.4	0.39	2001	34,854	12.9	0.33
1974	2,105	(3.9)	0.31	2002	32,692	(6.2)	0.30
1975	2,068	(1.8)	0.26	2003	31,598	(3.3)	0.28
1976	2,178	5.3	0.24	2004	34,374	8.8	0.28
1977	2,329	7.0	0.21	2005	39,557	15.1	0.30
1978	2,574	10.5	0.21	2006	44,951	13.6	0.32
1979	2,813	9.3	0.21	2007	52,902	17.7	0.33
1980	3,117	10.8	0.18	2008	90,748	71.5	0.47
1981	3,489	11.9	0.16	2009	104,161	14.8	0.67
1982	3,984	14.2	0.17	2010	92,356	(11.3)	0.61
1983	3,586	(10.0)	0.16	2011	117,437	27.2	0.69
1984	9,689	170.2	0.39	2012	145,644	24.0	0.82
1985	9,610	(0.8)	0.32	2013	166,955	14.6	0.89
1986	9,427	(1.9)	0.23	2014	190,214	13.9	0.97
1987	7,938	(15.8)	0.23	2015	189,660	(0.3)	0.90
1988	8,662	9.1	0.25	2016	159,091	(16.1)	0.68
1989	8,408	(2.9)	0.23	† No revenue deposited to trust			
1990	9,286	10.4	0.23				
1991	12,336	32.9	0.29				
1992	17,234	39.7	0.32				
1993	18,600	7.9	0.27				
1994	17,991	(3.3)	0.22				
1995	20,626	14.6	0.25				
1996	22,143	7.4	0.24				
1997	19,142	(13.6)	0.21				
1998	39,806	108.0	0.43				
1999	28,253	(29.0)	0.27				



Source(s): Glenn Hegar, Texas Comptroller; Texas Department of Motor Vehicles; Texas Department of Transportation

## STATE PARKS FEES

### Revenue Object 3461

#### RATE & BASE

<i>State:</i>	Daily entrance fees vary by park and historic site. Children 12 or younger generally free. An annual Texas State Park Pass, in lieu of daily entrance fees, is available for \$70 and gives unlimited access
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Under the age of 13, age 65 and over, and disabled individuals

#### ADMINISTRATION

<i>Agency:</i>	Texas Parks and Wildlife Department (TPWD) and Historical Commission (THC)
<i>No. of Visitors:</i>	9,065,509 (Total visitors, Texas state parks and historic sites, fiscal year 2007)*
<i>Payment Cycle:</i>	Weekly
<i>Due Date:</i>	Each week
<i>Remitted by:</i>	Park visitors

\*Source: Texas Comptroller's Office, TPWD

#### LEGAL CITATION(S)

Texas Parks and Wildlife Code, §§ 11.053, 13.015 - 13.0155, 13.017 - 13.0191, 21.105 - 21.111(a), 22.022, 22.261, 43.521  
Government Code § 442.0051

#### ENACTED

60th Legislature (1967) Directed TPWD to charge and collect entrance fees at parks

#### RATE & BASE CHANGES

NOTE: Rates are set by TPWD and THC and may be modified annually  
66th Legislature (1979) Established reservation fees for campsites  
72nd Legislature (1991) Established annual Texas Conservation Permits (TCPs)  
74th Legislature (1995) Amended the permit fee for TCPs

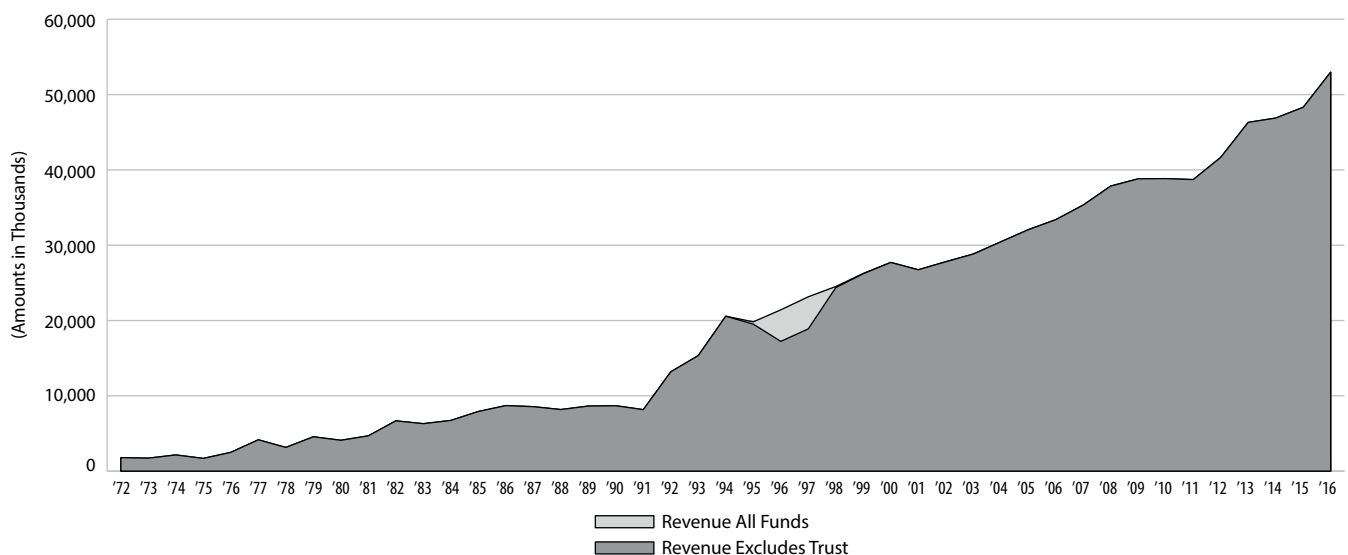
#### ALLOCATION

Entrance and campsite fees (Excludes wildlife refuges):  
Texas Park Development Bonds Interest & Sinking Fund 0409 — Certain park fees to cover principle/interest during the life of the bonds  
GR Account — State Parks 0064 — Remainder  
Wildlife refuge entrance fees:  
GR Account — Non-Game and Endangered Species Conservation 0506 — 100%  
Conservation permits, historic sites, and Admiral Nimitz Museum entrance fee:  
General Revenue Fund 0001 — 100%

**STATE PARKS FEES (concluded)**  
**Revenue Object 3461**

**NET COLLECTIONS**  
 (Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Other Revenue
1972	\$ 1,787	\$ 1,787	-	0.35	2000	\$ 27,721	\$ 27,701	5.7	0.28
1973	1,722	1,722	(3.7)	0.30	2001	26,743	26,731	(3.5)	0.25
1974	2,147	2,147	24.7	0.31	2002	27,809	27,791	4.0	0.26
1975	1,689	1,689	(21.3)	0.22	2003	28,831	28,818	3.7	0.26
1976	2,492	2,492	47.6	0.28	2004	30,449	30,437	5.6	0.25
1977	4,160	4,160	66.9	0.38	2005	32,060	32,050	5.3	0.24
1978	3,145	3,145	(24.4)	0.26	2006	33,391	33,381	4.2	0.24
1979	4,559	4,559	44.9	0.35	2007	35,334	35,326	5.8	0.22
1980	4,096	4,096	(10.2)	0.24	2008	37,856	37,845	7.1	0.20
1981	4,683	4,683	14.3	0.22	2009	38,813	38,813	2.6	0.25
1982	6,674	6,674	42.5	0.28	2010	38,839	38,839	0.1	0.26
1983	6,300	6,300	(5.6)	0.28	2011	38,709	38,709	(0.3)	0.23
1984	6,730	6,730	6.8	0.27	2012	41,655	41,655	7.6	0.24
1985	7,915	7,915	17.6	0.27	2013	46,306	46,306	11.2	0.25
1986	8,701	8,701	9.9	0.21	2014	46,876	46,876	1.2	0.24
1987	8,556	8,556	(1.7)	0.24	2015	48,307	48,307	3.1	0.23
1988	8,175	8,175	(4.5)	0.23	2016	52,978	52,978	9.7	0.23
1989	8,637	8,637	5.7	0.23					
1990	8,682	8,682	0.5	0.21					
1991	8,161	8,161	(6.0)	0.19					
1992	13,187	13,187	61.6	0.25					
1993	15,340	15,340	16.3	0.22					
1994	20,578	20,571	34.1	0.26					
1995	19,825	19,514	(5.1)	0.23					
1996	21,418	17,225	(11.7)	0.19					
1997	23,152	18,881	9.6	0.20					
1998	24,516	24,361	29.0	0.26					
1999	26,249	26,212	7.6	0.25					



Source(s): Glenn Hegar, Texas Comptroller; Texas Parks and Wildlife Department

## **TEACHER CERTIFICATION FEES**

### **Revenue Object 3511**

#### **RATE & BASE**

<i>State:</i>	\$75 for a standard teaching certificate; \$30 for a standard educational aide certificate; and other associated fees
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	Educators holding a lifetime educator certification

#### **ADMINISTRATION**

<i>Agency:</i>	Texas Education Agency (701) for the State Board for Educator Certification (705)
<i>No. of Fees Collected:</i>	*
<i>Payment Cycle:</i>	Every five years for standard teaching certificate
<i>Due Date:</i>	At time of exam and upon application for certificate before teaching school in Texas
<i>Remitted by:</i>	Educators, educator preparation programs, and school districts

\* Data from The Texas Education Agency indicates there were 347,469 regular and substitute classroom teachers employed during the 2014-15 school year; required renewal of certification is not annual.

#### **LEGAL CITATION(S)**

Texas Education Code, § 21.041  
Texas Occupations Code, § 53.105

#### **ENACTED**

54th Legislature (1955) Fee amount set by rule

#### **RATE & BASE CHANGES**

66th Legislature (1979) Repealed  
67th Legislature (1981) Re-enacted; fee amount set by rule  
74th Legislature (1995) Statutes and fees recodified  
81st Legislature (2009) Added Criminal History Evaluation Letter Fee

#### **ALLOCATION**

General Revenue Fund 0001 — 100%

## TEACHER CERTIFICATION FEES (concluded)

### Revenue Object 3511

### NET COLLECTIONS

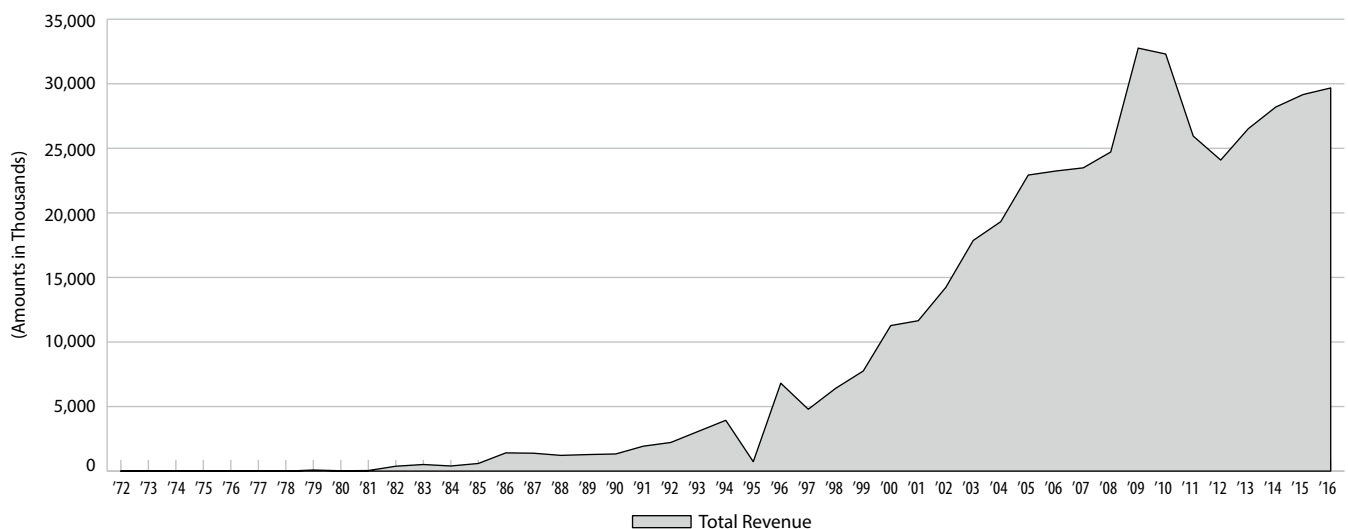
(Amounts in Thousands)

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 0	-	0.00	2000 <sup>2</sup>	\$ 11,273	45.4	0.12
1973	0	-	0.00	2001	11,648	3.3	0.11
1974	0	-	0.00	2002	14,223	22.1	0.13
1975	0	-	0.00	2003	17,866	25.6	0.16
1976	0	-	0.00	2004	19,320	8.1	0.16
1977	0	-	0.00	2005	22,930	18.7	0.17
1978	0	-	0.00	2006	23,242	1.4	0.16
1979	83	-	0.01	2007	23,488	1.1	0.15
1980	27	(67.4)	0.00	2008	24,716	5.2	0.13
1981	44	61.7	0.00	2009	32,762	32.6	0.21
1982	378	760.4	0.02	2010	32,302	(1.4)	0.21
1983	511	35.4	0.02	2011	25,950	(19.7)	0.15
1984	396	(22.5)	0.02	2012	24,091	(7.2)	0.14
1985	591	49.1	0.02	2013	26,515	10.1	0.14
1986	1,411	138.8	0.03	2014	28,195	6.3	0.14
1987	1,387	(1.7)	0.04	2015	29,169	3.5	0.14
1988	1,218	(12.2)	0.03	2016	29,675	1.7	0.13
1989	1,281	5.2	0.03				
1990	1,328	3.7	0.03				
1991	1,929	45.2	0.04				
1992	2,218	15.0	0.04				
1993	3,077	38.7	0.04				
1994	3,935	27.9	0.05				
1995 <sup>1</sup>	729	(81.5)	0.01				
1996	6,808	834.1	0.08				
1997	4,790	(29.6)	0.05				
1998	6,417	34.0	0.07				
1999	7,753	20.8	0.07				

† No revenue deposited to trust

<sup>1</sup> Percentage of processed payments delayed until fiscal 1996 due to the creation of the Educator Certification Board in 1995

<sup>2</sup> Policy change in fiscal 2000 due to S.B. 177, 76th Legislature: state agencies must collect all fees relating to certification exam



Source(s): Glenn Hegar, Texas Comptroller

## **WASTE DISPOSAL FACILITIES, GENERATORS & TRANSPORTERS FEES**

### **Revenue Object 3592**

#### **RATE & BASE**

<i>State:</i>	Various permits and fees for storing, transporting or disposing hazardous waste, solid waste, industrial solid waste, sewage, landfills and waste tire disposal facilities; rates are generally set by the administering agency to cover regulatory costs
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

#### **ADMINISTRATION**

<i>Agency:</i>	Texas Commission on Environmental Quality and Texas Railroad Commission
<i>No. of Fees Collected:</i>	52,067
<i>Payment Cycle:</i>	Various
<i>Due Date:</i>	Various
<i>Remitted By:</i>	Operators of waste disposal or storage facilities and waste transporters

#### **LEGAL CITATION(S)**

Texas Health and Safety Code, §§ 361.013, 361.091, 361.121, 361.131 - 361.140, 366.058, 366.059, 366.071, 367.010  
Texas Natural Resources Code, § 91.605  
Texas Water Code, §§ 26.0301, 29.015

#### **ENACTED**

69th Legislature (1985) Various permits and fees on the storage, processing or disposal of hazardous waste, solid waste, industrial solid waste, and private sewage facilities

#### **RATE & BASE CHANGES**

70th Legislature (1987) Added permit fees for on-site sewage, wastewater treatment and putrescible waste facilities  
71st Legislature (1989) Added solid waste disposal fees on transporters and use of municipal solid waste landfills  
72nd Legislature (1991) Added permits and fees for hauling/disposal of oil and natural gas waste  
73rd Legislature (1993) Added permit fees for operating a waste tire storage facility  
82nd Legislature (2011) Changes deposit of Oil and Gas Waste Fee  
83rd Legislature (2013) Lowered Solid Waste Disposal Fee

#### **ALLOCATION**

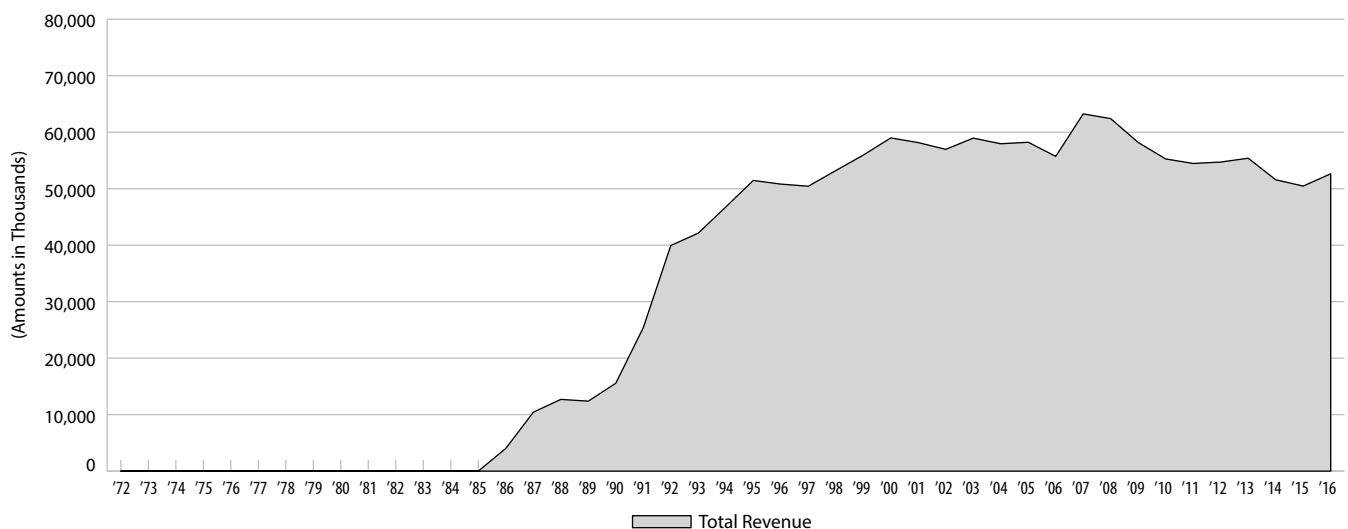
GR Account - Water Resource Management 0153 — On-site Sewage Permit and Wastewater Treatment Fees  
GR Account - Solid Waste Disposal Fees 5000 — Landfill solid waste disposal fees  
GR Account - Oil and Gas Regulation and Cleanup 5155 — Oil and gas waste fees  
  
Other hazardous and nonhazardous waste disposal fees and penalties:  
GR Account - Waste Management 0549  
GR Account - Hazardous and Solid Waste Remediation Fees 0550  
General Revenue Fund 0001



**WASTE DISPOSAL FACILITIES, GENERATORS & TRANSPORTERS FEES (concluded)**  
**Revenue Object 3592**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 0	-	0.00	2000	\$ 58,987	5.4	0.60
1973	0	-	0.00	2001	58,159	(1.4)	0.55
1974	0	-	0.00	2002	56,963	(2.1)	0.53
1975	0	-	0.00	2003	58,954	3.5	0.53
1976	0	-	0.00	2004	57,954	(1.7)	0.47
1977	0	-	0.00	2005	58,220	0.5	0.44
1978	0	-	0.00	2006	55,724	(4.3)	0.39
1979	0	-	0.00	2007	63,247	13.5	0.40
1980	0	-	0.00	2008	62,400	(1.3)	0.32
1981	0	-	0.00	2009	58,177	(6.8)	0.37
1982	0	-	0.00	2010	55,263	(5.0)	0.37
1983	0	-	0.00	2011	54,465	(1.4)	0.32
1984	0	-	0.00	2012	54,713	0.5	0.31
1985	0	-	0.00	2013	55,399	1.3	0.30
1986	4,019	-	0.10	2014	51,577	(6.9)	0.26
1987	10,429	159.5	0.30	2015	50,465	(2.2)	0.24
1988	12,698	21.8	0.36	2016	52,634	4.3	0.23
1989	12,387	(2.5)	0.33	† No revenue deposited to trust			
1990	15,562	25.6	0.38				
1991	25,400	63.2	0.59				
1992	39,932	57.2	0.74				
1993	42,137	5.5	0.61				
1994	46,763	11.0	0.58				
1995	51,459	10.0	0.61				
1996	50,813	(1.3)	0.56				
1997	50,435	(0.7)	0.54				
1998	53,204	5.5	0.58				
1999	55,942	5.1	0.54				



Source(s): Glenn Hegar, Texas Comptroller; Texas Commission on Environmental Quality

**WASTE TREATMENT INSPECTION FEE**  
**Revenue Object 3371****RATE & BASE**

<i>State:</i>	Various fees; for each wastewater discharge permit, a water quality fee up to \$100,000; on September 1 each year Texas Commission on Environmental Quality adjusts the maximum fee to reflect the change in the Consumer Price Index, but not exceeding \$150,000 per permit or contract; rates are generally set to cover regulatory costs
<i>Local:</i>	None
<i>Federal:</i>	None
<i>Major Exemptions:</i>	None

**ADMINISTRATION**

<i>Agency:</i>	Texas Commission on Environmental Quality (TCEQ)
<i>Number of Taxpayers*:</i>	23,128
<i>Payment Cycle:</i>	Annual renewals
<i>Due Date:</i>	Staggered
<i>Remitted By:</i>	Any person authorized by permit to treat or discharge wastewater and/or storm water

\* includes those previously remitting filing and copy fees under Revenue Object code 3368, re-classified here

**LEGAL CITATION(S)**

Texas Water Code, 26.0135, 26.0291(b)(c), 26.040, 26.0461, 26.179(h)

**ENACTED**

68th Legislature (1983) Wastewater discharge permit fees set at various rates by TCEQ based on flow volume and not to exceed \$2,000

**RATE & BASE CHANGES**

70th Legislature (1987) Included added parameters for assessing the fee; set the fee at a minimum of \$150 but no more than \$11,000; added fees for processing plans or amendments for protection of Edwards Aquifer; fee must be at least \$100 and may not exceed \$2,000

71st Legislature (1989) Increased maximum annual fee from \$11,000 to \$15,000 upon delegation of the National Pollution Discharge Elimination System (NPDES) program to TCEQ

73rd Legislature (1993) Added fees to cover costs of water sampling/analysis, one-half to water purchaser and one-half to water seller

74th Legislature (1995) Changed maximum annual fee from \$15,000 to \$25,000 upon delegation of NPDES program to TCEQ permit

75th Legislature (1997) Added permit fees authorizing discharge of waste into/adjacent to water; changed fee rate for processing plans/amendments for protection of Edwards Aquifer to maximum \$5,000

77th Legislature (2001) Changed general fee from points based system to fee up to \$75,000 for each wastewater discharge permit

79th Legislature (2005) Removed fees to cover costs of water sampling/analysis

80th Legislature (2007) Increased maximum fee rate for processing plans/amendments for protection of Edwards Aquifer to \$6,500; added fee up to \$13,000 for water pollution abatement/contributing zone plan for development over 40 acres

**ALLOCATION**

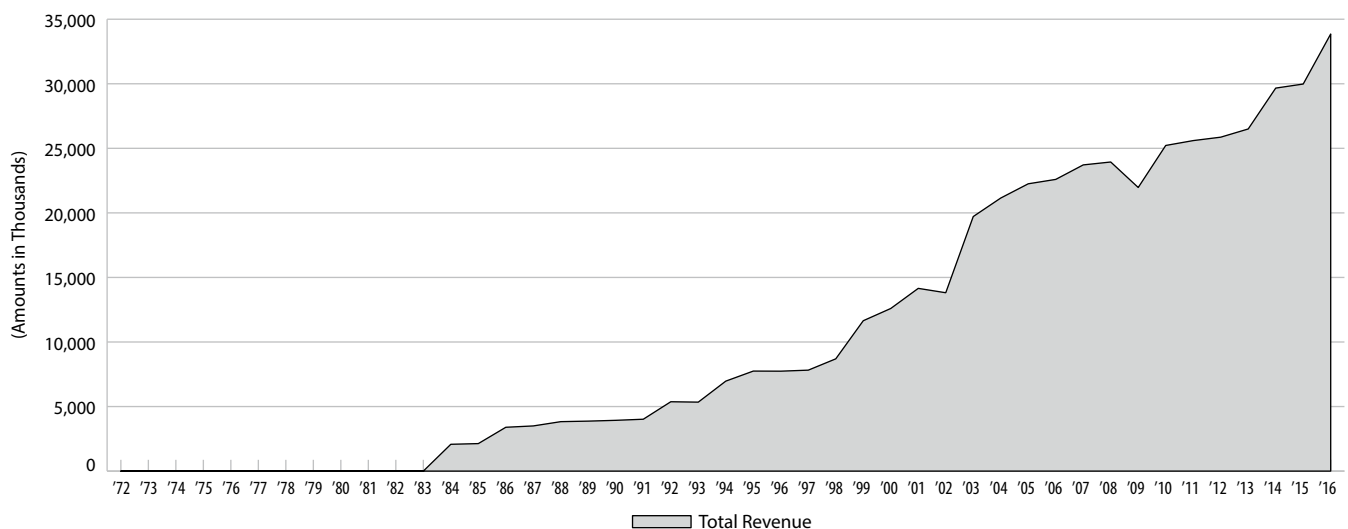
General Revenue Fund 0001 — Water quality fees  
Water Resource Management 0153 — All other fees

**WASTE TREATMENT INSPECTION FEE (concluded)**  
**Revenue Object 3371**

**NET COLLECTIONS**  
**(Amounts in Thousands)**

Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue	Year	Total Revenue <sup>†</sup>	Percent Change	Percent of Other Revenue
1972	\$ 0	-	0.00	2000	\$ 12,596	8.1	0.13
1973	0	-	0.00	2001	14,153	12.4	0.13
1974	0	-	0.00	2002	13,815	(2.4)	0.13
1975	0	-	0.00	2003	19,717	42.7	0.18
1976	0	-	0.00	2004	21,150	7.3	0.17
1977	0	-	0.00	2005	22,253	5.2	0.17
1978	0	-	0.00	2006	22,593	1.5	0.16
1979	0	-	0.00	2007	23,716	5.0	0.15
1980	0	-	0.00	2008	23,941	0.9	0.12
1981	0	-	0.00	2009	21,967	(8.2)	0.14
1982	0	-	0.00	2010	25,222	14.8	0.17
1983	0	-	0.00	2011	25,599	1.5	0.15
1984	2,077	-	0.08	2012	25,864	1.0	0.15
1985	2,130	2.5	0.07	2013	26,499	2.5	0.14
1986	3,395	59.4	0.08	2014	29,665	11.9	0.15
1987	3,499	3.1	0.10	2015	29,979	1.1	0.14
1988	3,830	9.4	0.11	2016	33,855	12.9	0.15
1989	3,871	1.1	0.10				
1990	3,933	1.6	0.10				
1991	4,018	2.2	0.09				
1992	5,372	33.7	0.10				
1993	5,342	(0.6)	0.08				
1994	6,969	30.4	0.09				
1995	7,747	11.2	0.09				
1996	7,740	(0.1)	0.09				
1997	7,819	1.0	0.08				
1998	8,695	11.2	0.09				
1999	11,648	34.0	0.11				

<sup>†</sup> No revenue deposited to trust



Source(s): Glenn Hegar, Texas Comptroller; Texas Commission on Environmental Quality

## WINE TAX

### Revenue Object 3259

**RATE & BASE**

<i>State:</i>	Alcohol volume not over 14% — 20.4 cents per gallon More than 14% alcohol — 40.8 cents per gallon Sparkling wine — 51.6 cents per gallon
<i>Local:</i>	None
<i>Federal:</i>	Alcohol volume not over 14% — \$1.07 per gallon More than 14% alcohol to under 21% alcohol — \$1.57 per gallon 21% alcohol to not more than 24% alcohol — \$3.15 per gallon Naturally sparkling wine — \$3.40 per gallon Artificially carbonated wine — \$3.30 per gallon Hard Cider — \$0.226
<i>Major Exemptions:</i>	Federal military facility sales

**ADMINISTRATION**

<i>Agency:</i>	Texas Alcoholic Beverage Commission
<i>Number of Taxpayers:</i>	2,076
<i>Payment Cycle:</i>	Monthly
<i>Due Date:</i>	15th day of the month for the preceding month
<i>Remitted by:</i>	Wine wholesalers

**LEGAL CITATION(S)**

Texas Alcoholic Beverage Code, § 201.04 (the “Vinous Liquor” tax)

**ENACTED**

44th Legislature (1935) Alcohol volume not over 14% — 2¢ per gallon; More than 14% alcohol, but not more than 24% alcohol — 5¢ per gallon; More than 24% alcohol — 50¢ per gallon; Sparkling wine — 25¢ per gallon

**RATE & BASE CHANGES**

44th Legislature (1936) Over 14% - 20 cents/gallon; 14% or less - 10 cents/gallon  
52nd Legislature (1951) Over 14% - 22 cents; 14% or less - 11 cents; sparkling wine - 27.5 cents  
56th Legislature (1959) Over 14% - 26.4 cents; 14% or less - 13.2 cents; sparkling wine - 33 cents  
62nd Legislature (1971) Over 14% - 34 cents; 14% or less - 17 cents; sparkling wine - 43 cents  
68th Legislature (1984) Over 14% - 40.8 cents; 14% or less - 20.4 cents; sparkling wine - 51.6 cents (effective 10/2/84)

**ALLOCATION**

General Revenue Fund 0001 and/or certain Events Trust Funds — 100%

Note: Texas Alcoholic Beverage Code, Sec. 205.03 stipulates how some wine revenue (i.e., the lesser of the amount exceeding what was collected in fiscal 2014 or \$2 million) may be appropriated. Depending on the outcome of computations, this section appropriates various amounts of wine revenue to certain recipients, including: Texas A&M AgriLife Extension Service, Texas Tech University, Grayson County Junior College, and the Wine Industry Development Fund 5165

# WINE TAX (concluded)

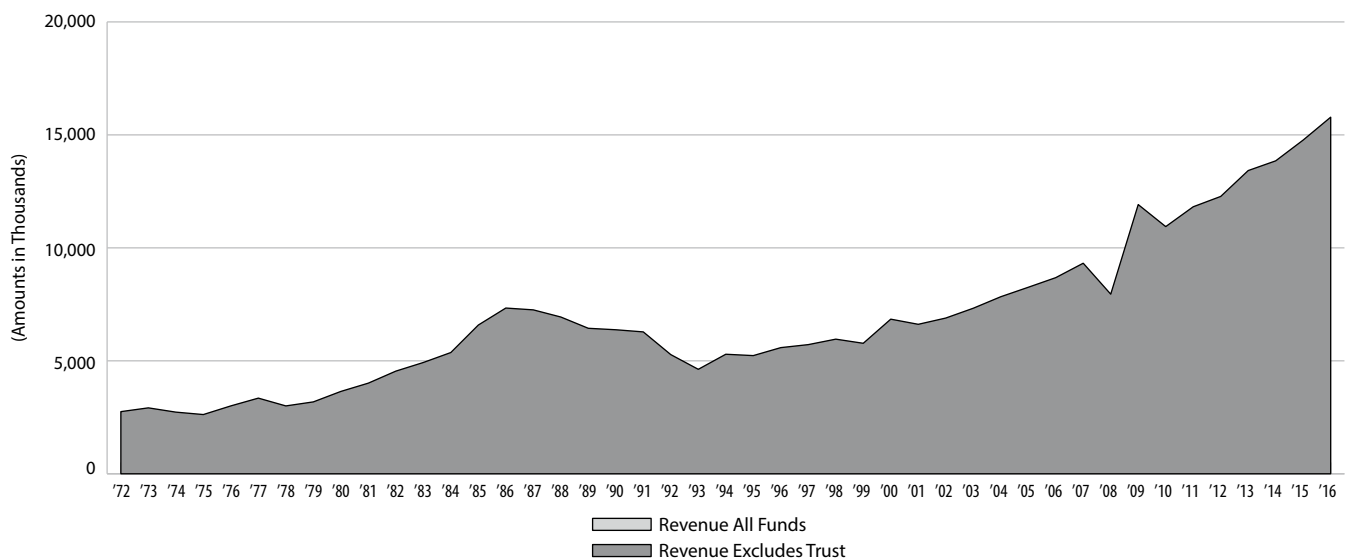
## Revenue Object 3259

# NET COLLECTIONS

(Amounts in Thousands)

Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes	Year	Revenue All Funds	Revenue Excludes Trust	Percent Change	Percent of Taxes
1972	\$ 2,751	\$ 2,751	-	0.12	2000	\$ 6,844	\$ 6,844	18.5	0.03
1973	2,918	2,918	6.1	0.11	2001	6,616	6,616	(3.3)	0.02
1974	2,729	2,729	(6.5)	0.09	2002	6,893	6,893	4.2	0.03
1975	2,622	2,622	(3.9)	0.08	2003	7,327	7,327	6.3	0.03
1976	3,005	3,005	14.6	0.08	2004	7,836	7,836	6.9	0.03
1977	3,349	3,349	11.4	0.08	2005	8,255	8,255	5.3	0.03
1978	3,004	3,004	(10.3)	0.06	2006	8,681	8,681	5.2	0.03
1979	3,182	3,182	5.9	0.06	2007	9,320	9,320	7.4	0.03
1980	3,645	3,645	14.6	0.06	2008	7,950	7,950	(14.7)	0.02
1981	4,012	4,012	10.1	0.05	2009	11,915	11,915	49.9	0.03
1982	4,544	4,544	13.2	0.05	2010	10,940	10,940	(8.2)	0.03
1983	4,926	4,926	8.4	0.06	2011 <sup>1</sup>	11,833	11,818	8.0	0.03
1984	5,367	5,367	9.0	0.06	2012	12,286	12,276	3.9	0.03
1985	6,583	6,583	22.7	0.06	2013	13,431	13,421	9.3	0.03
1986	7,336	7,336	11.4	0.07	2014	13,861	13,851	3.2	0.03
1987	7,255	7,255	(1.1)	0.07	2015	14,780	14,772	6.6	0.03
1988	6,939	6,939	(4.4)	0.06	2016	15,827	15,784	6.9	0.03
1989	6,440	6,440	(7.2)	0.05					
1990	6,375	6,375	(1.0)	0.05					
1991	6,280	6,280	(1.5)	0.04					
1992	5,275	5,275	(16.0)	0.03					
1993	4,624	4,624	(12.3)	0.03					
1994	5,291	5,291	14.4	0.03					
1995	5,231	5,231	(1.1)	0.03					
1996	5,584	5,584	6.7	0.03					
1997	5,717	5,717	2.4	0.03					
1998	5,959	5,959	4.2	0.03					
1999	5,776	5,776	(3.1)	0.02					

<sup>1</sup> Starting in 2011, the Events Trust Fund, Major Events Reimbursement Program Fund (trust), Special Events Trust Fund (repealed), and the Motor Sports and Racing Trust Fund started receiving alcoholic beverage taxes



Source(s): Glenn Hegar, Texas Comptroller; Texas Alcoholic Beverage Commission





# SOURCES OF REVENUE

A History of State Taxes and Fees in Texas 1972-2016

## Appendices





**APPENDIX A**  
**Tax and Other Revenue Collections**  
**1972-2016**  
**All Funds Excluding Trust**  
**(Amounts in Thousands)**

Fiscal Year	Tax Collections	Percent Change	Percent of Total Revenue	Average Annual Growth Rate	Economic Periods Growth Rates	Other Revenue <sup>1</sup>	Percent Change	Percent of Total Revenue	Average Annual Growth Rate	Economic Periods Growth Rates	Total Revenue <sup>2</sup>
1972	\$ 2,344,044		82.0			\$ 514,109		18.0			\$ 2,858,153
1973	2,583,577	10.2	82.0	10.2		566,781	10.2	18.0	10.2		3,150,358
1974	3,026,048	17.1	81.4	13.6		690,206	21.8	18.6	15.9		3,716,254
1975	3,375,245	11.5	81.2	12.9		781,059	13.2	18.8	15.0		4,156,304
1976	3,913,827	16.0	81.2	13.7		903,314	15.7	18.8	15.1		4,817,141
1977	4,419,882	12.9	80.3	13.5		1,085,237	20.1	19.7	16.1		5,505,118
1978	5,032,274	13.9	80.3	13.6		1,231,318	13.5	19.7	15.7		6,263,592
1979	5,390,313	7.1	80.3	12.6		1,318,885	7.1	19.7	14.4		6,709,198
1980	6,343,785	17.7	78.8	13.3		1,704,348	29.2	21.2	16.2		8,048,133
1981	7,742,033	22.0	78.4	14.2		2,138,531	25.5	21.6	17.2		9,880,564
1982	8,650,026	11.7	78.6	13.9	FY72-FY83	2,354,557	10.1	21.4	16.4	FY72-FY83	11,004,583
1983	8,497,817	(1.8)	79.2	12.4	12.4	2,228,660	(5.3)	20.8	14.3	14.3	10,726,477
1984	9,305,839	9.5	78.8	12.2		2,501,127	12.2	21.2	14.1		11,806,966
1985	10,721,208	15.2	78.3	12.4		2,973,968	18.9	21.7	14.5		13,695,176
1986	10,231,670	(4.6)	71.6	11.1		4,057,414	36.4	28.4	15.9		14,289,084
1987	10,266,163	0.3	74.6	10.3		3,496,501	(13.8)	25.4	13.6		13,762,664
1988	12,364,619	20.4	77.8	11.0		3,527,205	0.9	22.2	12.8		15,891,824
1989	12,905,941	4.4	77.7	10.6		3,708,457	5.1	22.3	12.3		16,614,398
1990	13,632,640	5.6	77.1	10.3		4,059,492	9.5	22.9	12.2		17,692,132
1991	14,922,114	9.5	77.6	10.2	FY83-FY92	4,303,577	6.0	22.4	11.8	FY83-FY92	19,225,691
1992	15,848,915	6.2	74.7	10.0	7.2	5,381,726	25.1	25.3	12.5	10.3	21,230,641
1993	17,010,737	7.3	71.0	9.9		6,931,672	28.8	29.0	13.2		23,942,410
1994	18,105,951	6.4	69.2	9.7		8,049,312	16.1	30.8	13.3		26,155,262
1995	18,858,790	4.2	69.1	9.5		8,415,100	4.5	30.9	12.9		27,273,890
1996	19,762,504	4.8	68.5	9.3		9,068,211	7.8	31.5	12.7		28,830,715
1997	21,187,868	7.2	69.4	9.2		9,332,926	2.9	30.6	12.3		30,520,794
1998	22,634,020	6.8	71.0	9.1		9,231,406	(1.1)	29.0	11.7		31,865,426
1999	23,614,611	4.3	69.4	8.9		10,429,433	13.0	30.6	11.8		34,044,044
2000	25,283,769	7.1	72.1	8.9	FY92-FY01	9,763,357	(6.4)	27.9	11.1	FY92-FY01	35,047,125
2001	27,230,212	7.7	72.0	8.8	6.2	10,575,725	8.3	28.0	11.0	7.8	37,805,937
2002	26,279,146	(3.5)	70.9	8.4	FY01-FY03	10,771,454	1.9	29.1	10.7	FY01-FY03	37,050,600
2003	26,126,675	(0.6)	70.0	8.1	(2.0)	11,207,595	4.0	30.0	10.5	2.9	37,334,271
2004	27,913,002	6.8	69.5	8.0		12,222,393	9.1	30.5	10.4		40,135,395
2005	29,838,278	6.9	69.4	8.0		13,162,139	7.7	30.6	10.3		43,000,416
2006	33,544,498	12.4	70.3	8.1		14,149,998	7.5	29.7	10.2		47,694,496
2007	36,955,630	10.2	70.0	8.2	FY03-FY08	15,857,609	12.1	30.0	10.3	FY03-FY08	52,813,239
2008	41,357,929	11.9	68.1	8.3	9.6	19,386,769	22.3	31.9	10.6	11.6	60,744,698
2009	37,822,453	(8.5)	70.8	7.8	FY08-FY10	15,603,079	(19.5)	29.2	9.7	FY08-FY10	53,425,532
2010	35,368,901	(6.5)	70.0	7.4	(7.5)	15,131,630	(3.0)	30.0	9.3	(11.7)	50,500,531
2011	38,856,176	9.9	69.6	7.5		16,984,238	12.2	30.4	9.4		55,840,414
2012	44,079,119	13.4	71.4	7.6		17,660,229	4.0	28.6	9.2		61,739,347
2013	47,781,046	8.4	71.8	7.6		18,731,841	6.1	28.2	9.2		66,512,887
2014	50,992,562	6.7	72.1	7.6		19,683,689	5.1	27.9	9.1		70,676,251
2015	51,683,060	1.4	71.1	7.5	FY10-16	21,044,208	6.9	28.9	9.0	FY10-16	72,727,268
2016	48,476,226	(6.2)	67.5	7.1	5.4	23,330,810	10.9	32.5	9.1	7.5	71,807,036

Footnotes:

<sup>1</sup> All non tax revenue excluding federal receipts.<sup>2</sup> Total revenue excluding federal receipts.

## APPENDIX B

### Changes in Major Texas Tax Rates, Fiscal 1930-2016

Year	Sales Taxes Sales Tax	Sales Taxes Motor Vehicle Sales Tax	Motor Fuels Taxes Gasoline Tax	Motor Fuels Taxes Diesel Fuel Tax	Severance Taxes Oil Production Tax	Severance Taxes Natural Gas Tax	Cigarette Tax
1930	No tax	No tax	4¢/gal	No tax	2% of value	No tax	No tax
1931	"	"	"	"	"	2% of value	3¢/pack
1932	"	"	"	"	"	"	"
1933	"	"	"	"	"	"	"
1934	"	"	"	"	"	"	"
1935	"	"	"	"	"	"	"
1936	"	"	"	"	2.75%	3%	"
1937	"	"	"	"	"	"	"
1938 through 1940: No Changes							
1941	"	1%	"	8¢/gal	4.125%	5.2%	"
1942	"	"	"	"	"	"	"
1943	"	"	"	6¢/gal	"	"	"
1944	"	"	"	"	"	"	"
1945	"	"	"	"	"	"	"
1946 through 1948: No Changes							
1949	"	"	"	"	"	"	"
1950	"	1.1% (t)	"	"	4.53756%	5.72% (t)	4¢/pack
1951	"	1.1%	"	"	4.6%	5.72%	"
1952	"	"	"	"	"	"	"
1953	"	"	"	"	"	"	"
1954	"	"	"	"	"	9%	"
1955	"	"	5¢/gal	6.5¢/gal	"	8%	5¢/pack
1956	"	"	"	"	"	7%	"
1957	"	"	"	"	"	"	"
1958	"	"	"	"	"	"	"
1959	"	1.5%	"	"	"	"	8¢/pack
1960	"	"	"	"	"	"	"
1961	2%	"	"	"	"	"	"
1962	"	"	"	"	"	"	"
1963	"	2%	"	"	"	"	"
1964	"	"	"	"	"	"	"
1965	"	"	"	"	"	"	11¢/pack
1966	"	"	"	"	"	"	"
1967	"	"	"	"	"	"	"
1968	3%	3%	"	"	"	"	"
1969	3.25%	"	"	"	"	7.5%	15.5¢/pack
1970	"	"	"	"	"	"	"
1971	4%	4%	"	"	"	"	18.5¢/pack
1972	"	"	"	"	"	"	"
1973	"	"	"	"	"	"	"
1974	"	"	"	"	"	"	"
1975	"	"	"	"	"	"	"
1976 through 1980: No Changes							
1981	"	"	"	"	"	"	"
1982	"	"	"	"	"	"	"
1983	"	"	"	"	"	"	"
1984	4.125%	5%	10¢/gal	10¢/gal	"	"	19.5¢/pack
1985	"	"	"	"	"	"	20.5¢/pack
1986	5.25% (t)	"	15¢/gal (t)	15¢/gal (t)	"	"	"
1987	6%	6%	15¢/gal	15¢/gal	"	"	26¢/pack
1988	"	"	"	"	"	"	"
1989	"	"	"	"	"	"	"
1990	6.25%	"	"	"	"	"	41¢/pack
1991	"	6.25%	20¢/gal	20¢/gal	"	"	"
1992	"	"	"	"	"	"	"
1993	"	"	"	"	"	"	"
1994	"	"	"	"	"	"	"
1995	"	"	"	"	"	"	"
1996 through 1999: No Changes							
2000	"	"	"	"	"	"	"
2001 through 2006: No Changes							
2007	"	"	"	"	"	"	\$1.41/pack
2008	"	"	"	"	"	"	"
2009 through 2013: No Changes							
2014	"	"	"	"	"	"	"
2015	"	"	"	"	"	"	"
2016	"	"	"	"	"	"	"

Note: (t) = temporary

Note: the motor fuel tax on liquefied gas was repealed September 1, 2015; no changes to gasoline or diesel fuel tax rates (above).

Note: In 1941, a separate tax on diesel fuel was adopted. During the previous ten years, diesel may have been taxed as it could be used to power a vehicle.

Sources: House Ways & Means Committee, "Texas Tax Facts," February 1993; Texas Department of Insurance; and Glenn Hegar, Texas Comptroller

APPENDIX B (continued)  
**Changes in Major Texas Tax Rates, Fiscal 1930-2016**

Year	Alcoholic Beverage Taxes Beer Tax	Alcoholic Beverage Taxes Liquor Tax	Alcoholic Beverage Taxes Mixed Beverage Gross Receipts Tax	Alcoholic Beverage Taxes Mixed Beverage Sales Tax	Franchise Tax Base Rate	Franchise Tax Applicable Surtax	Franchise Tax Total Franchise Tax Rate
1930	No tax	No tax	No tax	No tax	65¢/45¢/35¢/\$1,000 of taxable capital	No surtax	65¢/45¢/35¢/\$1,000 of taxable capital
1931	"	"	"	"	"	"	"
1932	"	"	"	"	"	"	"
1933	\$1.50/bbl	"	"	"	"	"	"
1934	"	"	"	"	"	"	"
1935	\$1.24/bbl	\$0.80/gal	"	"	"	"	"
1936	"	\$0.96/gal	"	"	"	"	"
1937	"	"	"	"	"	"	"
1938 through 1940: No Changes							
1941	"	\$1.28/gal	"	"	"	"	"
1942	"	"	"	"	\$1/\$1,000	"	\$1/\$1,000
1943	"	"	"	"	"	"	"
1944	"	"	"	"	"	"	"
1945	"	"	"	"	"	"	"
1946 through 1948: No Changes							
1949	"	"	"	"	"	\$0.10/\$1,000	\$1.10/\$1,000
1950	\$1.364/bbl (t)	\$1.408/gal (t)	"	"	\$1.25/\$1,000	No surtax	\$1.25/\$1,000
1951	\$1.37/bbl	\$1.408/gal	"	"	"	"	"
1952	"	"	"	"	"	"	"
1953	"	"	"	"	"	"	"
1954	\$2/bbl	"	"	"	\$2/\$1,000	"	\$2/\$1,000
1955	\$4.30/bbl	"	"	"	\$2.25/\$1,000	"	\$2.25/\$1,000
1956	"	"	"	"	"	"	"
1957	"	"	"	"	"	"	"
1958	"	"	"	"	"	"	"
1959	"	\$1.68/gal	"	"	"	"	"
1960	"	"	"	"	"	\$0.75/\$1,000	\$3/\$1,000
1961	"	"	"	"	"	\$0.50/\$1,000	\$2.75/\$1,000
1962	"	"	"	"	"	"	"
1963	"	"	"	"	"	"	"
1964	"	"	"	"	"	"	"
1965	"	"	"	"	"	No surtax	"
1966	"	"	"	"	"	"	"
1967	"	"	"	"	"	"	"
1968	"	"	"	"	"	"	"
1969	"	"	"	"	\$2.75/\$1,000	\$0.50/\$1,000	\$3.25/\$1,000
1970	"	"	"	"	"	"	"
1971	\$5/bbl	\$2/gal	10%	"	"	\$1.75/\$1,000	\$4.50/\$1,000
1972	"	"	"	"	"	\$1.50/\$1,000	\$4.25/\$1,000
1973	"	"	"	"	"	"	"
1974	"	"	"	"	"	"	"
1975	"	"	"	"	\$4.25/\$1,000	No surtax	"
1976 through 1980: No Changes							
1981	"	"	"	"	"	"	"
1982	"	"	"	"	"	"	"
1983	"	"	"	"	"	"	"
1984	\$6/bbl	\$2.40/gal	12%	"	\$5.25/\$1,000	"	\$5.25/\$1,000
1985	"	"	"	"	"	"	"
1986	"	"	"	"	"	"	"
1987	"	"	"	"	"	"	"
1988	"	"	"	"	"	\$1.45/\$1,000	\$6.70/\$1,000
1989	"	"	"	"	"	"	"
1990	"	"	14%	"	"	No surtax	\$5.25/\$1,000
1991	"	"	"	"	"	"	"
1992	"	"	"	"	\$2.50/\$1,000 or 4.5% of earned surplus	"	\$2.50/\$1,000 or 4.5% of earned surplus
1993	"	"	"	"	"	"	"
1994	"	"	"	"	"	"	"
1995	"	"	"	"	"	"	"
1996 through 1999: No Changes							
2000	"	"	"	"	"	"	"
2001 through 2006: No Changes							
2007	"	"	"	"	"	"	"
2008	"	"	"	"	1% of taxable margin; 0.5% for taxpayers in wholesale&retail trade	No surtax	1% of taxable margin; 0.5% for taxpayers in wholesale&retail trade
2009 through 2013: No Changes							
2014	"	"	6.7%	8.25%	0.975% of taxable margin; 0.4875% for taxpayers in wholesale&retail trade	"	0.975% of taxable margin; 0.4875% for taxpayers in wholesale&retail trade
2015	"	"	"	"	0.95% of taxable margin; 0.475% for taxpayers in wholesale&retail trade	"	0.95% of taxable margin; 0.475% for taxpayers in wholesale&retail trade
2016	"	"	"	"	0.75% of taxable margin; 0.375% for taxpayers in wholesale&retail trade	"	0.75% of taxable margin; 0.375% for taxpayers in wholesale&retail trade

Note: (t) = temporary

Note: the airline/passenger train beverage tax repealed September 1, 2015; no change to alcoholic beverage tax rates (above).

Sources: House Ways &amp; Means Committee, "Texas Tax Facts," February 1993; Texas Department of Insurance; and Glenn Hegar, Texas Comptroller

APPENDIX B (concluded)  
**Changes in Major Texas Tax Rates, Fiscal 1930-2016**

Year	Gas, Electric & Water Utility Tax Cities with 1,001 to 2,499 Population	Gas, Electric & Water Utility Tax Cities with 2,500 to 9,999 Population	Gas, Electric & Water Utility Tax Cities with over 9,999 Population	Insurance Premium Taxes Property and Casualty Texas-Based	Insurance Premium Taxes Property and Casualty Out-of-State	Insurance Premium Taxes Life, Accident & Health Texas-Based	Insurance Premium Taxes Life, Accident & Health Out-of-State
1930	No tax	0.5% of receipts	1% of receipts	0.5-2.6%	0.5-2.6%	No tax	1.5-3%
1931	"	"	"	"	"	"	"
1932	"	"	"	"	"	"	"
1933	"	"	"	"	"	"	"
1934	"	"	"	"	"	"	"
1935	"	"	"	"	"	"	"
1936	"	0.7%	1.375%	0.625-3.25%	0.625-3.25%	0.5%	2.5-3.75%
1937	"	"	"	"	0.5-3.25%	"	"
1938 through 1940: No Changes							
1941	0.44% of receipts	0.81%	1.5125%	0.75-4.05%	0.5-4.05%	0.625%	3.1-4.65%
1942	"	"	"	"	"	"	"
1943	"	"	"	"	"	"	"
1944	"	"	"	"	"	"	"
1945	"	"	"	1.0-3.5%	1.0-3.5%	0.95-3.5%	0.95-3.5%
1946 through 1948: No Changes							
1949	"	"	"	"	"	1%	1.75-3%
1950	0.484% (t)	0.891% (t)	1.66375% (t)	"	"	"	"
1951	0.484%	0.891%	1.66375%	1.1-3.85%	1.1-3.85%	1.1%	"
1952	"	"	"	"	"	"	"
1953	"	"	"	"	"	"	"
1954	"	"	"	"	"	"	"
1955	"	"	"	"	"	"	"
1956	"	"	"	"	"	"	"
1957	"	"	"	"	"	"	"
1958	"	"	"	"	"	"	"
1959	0.581%	1.07%	1.997%	"	"	"	"
1960	"	"	"	"	"	"	"
1961	"	"	"	"	"	"	"
1962	"	"	"	"	"	"	"
1963	"	"	"	"	"	"	"
1964	"	"	"	"	"	"	"
1965	"	"	"	"	"	"	"
1966	"	"	"	"	"	"	"
1967	"	"	"	"	"	"	"
1968	"	"	"	"	"	"	"
1969	"	"	"	"	"	"	"
1970	"	"	"	"	"	"	"
1971	"	"	"	"	"	"	"
1972	"	"	"	"	"	"	"
1973	"	"	"	"	"	"	"
1974	"	"	"	"	"	"	"
1975	"	"	"	"	"	"	"
1976 through 1980: No Changes							
1981	"	"	"	1.2-3.5%	1.2-3.5%	"	"
1982	"	"	"	"	"	"	"
1983	"	"	"	"	"	"	1.925-3.3%
1984	"	"	"	"	"	1.1-2.5%	1.1-2.5%
1985	"	"	"	"	"	"	"
1986	"	"	"	"	"	"	"
1987	"	"	"	"	"	"	"
1988	"	"	"	"	"	"	"
1989	"	"	"	1.6-3.5%	1.6-3.5%	"	"
1990	"	"	"	"	"	1.3-2.4%	1.3-2.4%
1991	"	"	"	"	"	1.4-2.3%	1.4-2.3%
1992	"	"	"	"	"	1.5-2.2%	1.5-2.2%
1993	"	"	"	"	"	1.6-2.1%	1.6-2.1%
1994	"	"	"	"	"	1.7-2%	1.7-2%
1995	"	"	"	"	"	1.75%	1.75%
1996 through 1999: No Changes							
2000	"	"	"	1.6%	1.6%	"	"
2001 through 2006: No Changes							
2007	"	"	"	"	"	"	"
2008	"	"	"	"	"	"	"
2009 through 2013: No Changes							
2014	"	"	"	"	"	"	"
2015	"	"	"	"	"	"	"
2016	"	"	"	"	"	"	"

Note: (t) = temporary

Sources: House Ways &amp; Means Committee, "Texas Tax Facts," February 1993; Texas Department of Insurance; and Glenn Hegar, Texas Comptroller

APPENDIX C  
**Summary of Legislative Changes to the  
Texas Sales and Use Tax Rate and Base**

**1961 The 57th Legislature, First Called Session**

Enacted the Texas Limited Sales, Excise, and Use Tax Act and imposed a 2 percent tax on all retail sales of tangible personal property, except those specifically exempted. Effective September 1, 1961.

**1963 The 58th Legislature, Regular Session**

Reenacted the Limited Sales, Excise, and Use Tax Act to add amendments that clarified and simplified administration of the tax. Authorized direct payment procedures. Effective July 1, 1963.

**1967 The 60th Legislature, Regular Session**

Enacted the Local Sales and Use Tax Act and authorized cities to impose a 1 percent local tax on all retail sales of tangible personal property taxed under the state Sales and Use tax. Effective January 1, 1968.

Provided exemptions for sales of certain casing and drill pipe. Effective July 1, 1967.

**1968 The 60th Legislature, First Called Session**

Increased the state Sales and Use tax rate on retail sales to 3 percent. Effective October 2, 1968.

**1969 The 61st Legislature, Regular Session**

Restored in the Tax Code the definitions for contractor and repairman, which were inadvertently omitted by the 60th Legislature, First Called Session. Effective June 10, 1969.

**1969 The 61st Legislature, Second Called Session**

Increased the state Sales and Use tax rate to 3.25 percent. Made beer and wine subject to the Sales and Use tax. Effective October 1, 1969.

**1971 The 62nd Legislature, Regular Session**

Increased the state Sales and Use tax rate to 4 percent. Effective July 1, 1971.

Exempted the leasing or licensing of motion picture films to licensed television stations. Effective February 5, 1971.

Exempted certain commercial vessels of 50 tons or more displacement. Effective August 30, 1971.

**1971 The 62nd Legislature, First Called Session**

Exempted the sale, preparation, or serving of mixed beverages, ice, or nonalcoholic beverages taxed under the Texas Liquor Control Act. Effective June 8, 1971.

**1973 The 63rd Legislature, Regular Session**

No longer required beer distributors to secure resale certificates. Effective May 18, 1973.

Required delinquent taxpayers and new permit holders to post bond to ensure payment of taxes. Effective January 1, 1974.

Required taxpayers collecting in excess of \$750 per month in Sales and Use taxes to file tax returns and make payments monthly. Effective September 1, 1974.

Exempted volunteer fire departments. Effective August 27, 1973.

**1975 The 64th Legislature, Regular Session**

Exempted certain agricultural machinery and equipment. Effective September 1, 1975.

Excluded from the definition of "sales price" voluntary tips and gratuities. Effective April 30, 1975.

Exempted component parts for newspapers. Effective September 1, 1975.

APPENDIX C (continued)  
**Summary of Legislative Changes to the  
Texas Sales and Use Tax Rate and Base**

Exempted food sales by Parent-Teacher Associations and by youth athletic organization members aged 18 years old or younger. Effective September 1, 1975.

Exempted solar energy devices, bicentennial organizations, aircraft used for flight instruction, and vessels of eight tons or more displacement used exclusively for commercial purposes. Effective September 1, 1975.

Excluded excise tax on tires and fishing equipment from the definition of “sales price.” Effective September 1, 1975.

**1977 The 65th Legislature, Regular Session**

Excluded from the definition of “sales price” mandatory gratuities disbursed to qualified employees. Effective April 25, 1977.

Authorized exempt religious, educational, or charitable organizations to hold a single one-day, tax-free sale or auction during each calendar year. Effective May 24, 1977.

Exempted the leasing or licensing of motion picture films by theaters and television stations. Effective June 10, 1977.

Authorized retailers to seek a refund or credit for Sales and Use tax paid on an account subsequently charged off for federal income tax purposes as a bad debt. Effective June 15, 1977.

Exempted organizations qualifying for exemption from income tax under Internal Revenue Code Section 501(c)(3). Effective August 29, 1977.

Exempted film, tapes, photographs, and other materials used in broadcasting operations by radio and television stations. Effective August 29, 1977.

Exempted newspapers and semi-annual or longer subscriptions to magazines. Effective August 29, 1977.

Exempted syringes and hypodermic needles. Effective August 29, 1977.

Added emergency medical services to the exemption provided for volunteer fire departments. Effective August 29, 1977.

Required liquor permit holders to obtain a certificate of good standing from the Comptroller whenever a new permit is granted or an existing permit is renewed by the Texas Alcoholic Beverage Commission. Effective August 29, 1977.

Eliminated the requirement that a resale certificate be issued by a licensed beverage retailer to a licensed wholesaler or local distributor on purchases of liquor and wine. Originally, only beer or malt liquor could be purchased without a resale certificate. Effective August 29, 1977.

**1978 The 65th Legislature, Second Called Session**

Repealed the state and local taxes on the residential use of natural gas and electricity. Provided cities the option of continuing the 1 percent city tax on residential use of natural gas and electricity. Effective October 1, 1978.

**1979 The 66th Legislature, Regular Session**

Clarified the procedure for collecting and reporting city tax. Added a new requirement that retailers located outside taxing cities assume the same responsibilities as out-of-state retailers to collect and report the city use tax. Effective June 13, 1979.

Exempted special printing or signaling equipment used by the deaf for communication through a telephone. Effective August 27, 1979.

APPENDIX C (continued)

## Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

Repealed Article 20.10 concerning overpayments and refunds and transferred the language into Chapter 111 so that the same procedures govern all taxes. Effective August 27, 1979.

Raised the interest rate charged by the state on delinquent taxes to 7 percent. Effective January 1, 1980.

### 1981 The 67th Legislature, Regular Session

Repealed Chapter 20, Title 122A, and adopted Title 2 of the Tax Code, a nonsubstantive revision of the Sales and Use tax law. Chapter 20 became Subtitle E, Chapter 151. Effective January 1, 1982.

Taxed items purchased under resale or exemption certificates and put to personal use on the rental value for the time used, not on the original purchase price of the item. Effective July 1, 1981.

Effective July 1, 1981, required the following charges to be separately stated to the customer in order to be excluded from the taxable sales price of an item:

- gratuities;
- cash discounts;
- trade-ins;
- repair charges;
- installation charges;
- returned merchandise;
- finance and credit charges;
- transportation, carrying, or service charges; and
- federal excise tax on tires and fishing equipment.

Exempted all therapeutic equipment prescribed for an individual by a doctor. Effective October 1, 1981.

Required all taxpayers who owe more than \$1,500 in sales and use tax a month to file monthly returns. Effective January 1, 1982.

Exempted shipments outside a metropolitan transit authority (MTA) from the MTA sales tax. If a retailer located in an MTA ships items to a customer outside the MTA, the MTA sales tax does not apply. MTA use tax is due if the item is shipped into another authority. Effective August 31, 1981.

Exempted purchases by certain civic, fraternal and veteran organizations qualifying for exemption from federal income tax under Internal Revenue Code Sections 501(c)(4), (c)(8), (c)(10), or (c)(19). Effective June 16, 1981.

Exempted purchases by non-profit chambers of commerce. Effective June 16, 1981.

Exempted sales of handicrafts by senior citizen organizations. Effective June 16, 1981.

Required retailers to report interest charges on Sales and Use tax. If a “cash basis” seller charged interest on tax, part of the interest charges must be paid to the state. Effective January 1, 1982.

Raised the interest rate on delinquent taxes to 10 percent. Allowed the state to pay 10 percent interest on refund claims. Effective January 1, 1982.

### 1983 The 68th Legislature, Regular Session

Changed the due date for Sales and Use tax returns to the 20th day of the month following the end of a reporting period. Effective October 1, 1983.

APPENDIX C (continued)  
**Summary of Legislative Changes to the  
Texas Sales and Use Tax Rate and Base**

Required all taxpayers owing more than \$1,500 in sales and use tax a quarter to file monthly returns. Effective October 1, 1983.

Reduced the prepayment discount to 1.25 percent and required a prepayment estimate to be at least 90 percent of the amount of tax due for the reporting period or that amount of tax due in the same reporting period of the preceding year. Effective October 1, 1983.

Required all direct payment permit holders to file monthly direct payment returns on or before the 20th day of the month following the end of the reporting period. Effective October 1, 1983.

Required applicants for a direct payment permit to purchase at least \$800,000 a year in taxable items in order to qualify for a permit. Effective May 24, 1983.

Repealed the provision that allowed certain manufacturers to file annual returns. Effective October 1, 1983.

Limited the exemption for solar energy devices to site-built solar energy devices and those that meet the rating and certification standards set by the Public Utility Commission of Texas. Effective August 29, 1983.

Exempted bins used to transport fruit or vegetables from the field to the location where the items are processed, packaged, or marketed. Effective August 29, 1983.

Exempted the sale of gold, silver, or numismatic coins or platinum, gold, or silver bullion when the sales price of the transaction equals \$10,000 or more. Effective September 1, 1983.

Exempted certain equipment used by the blind to enable them to function more independently. Effective September 1, 1983.

Exempted certain sales to or by Indian tribes that have a reservation in Texas. Effective September 1, 1983.

Exempted purchases by non-profit convention and tourist promotional agencies. Effective September 1, 1983.

Exempted publications distributed by licensed and certified carriers to customers traveling on the carrier. Effective August 29, 1983.

Exempted certain purchases by Texas Hospital Equipment Financing Councils. Effective August 29, 1983.

Exempted certain materials and equipment used by qualified businesses in a Texas Enterprise Zone and allowed cities to refund city sales tax paid by qualified businesses in a Texas Enterprise Zone. Effective September 1, 1983.

**1984 The 68th Legislature, Second Called Session**

*(All changes effective October 2, 1984)*

Increased the state Sales and Use tax rate to 4.125 percent.

Taxed certain services, including amusement services, cable television services, personal services, motor vehicle parking and storage services, plus the repair, remodeling, maintenance and restoration of certain tangible personal property.

Excluded from tax the labor to repair, remodel, maintain and restore aircraft and commercial vessels, plus the repair, maintenance and restoration of motor vehicles.

Exempted the sale of a taxable service for resale.

Exempted services performed on an exempt item of tangible personal property or for an exempt entity, performed directly on a product being manufactured for sale for the purpose of making the product more marketable, or performed by an employee for that employee's employer in the regular course of the employee's regularly-compensated duties.



APPENDIX C (continued)

## Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

Exempted repair, remodeling, maintenance, or restoration services performed on tangible personal property if the services are required by law to protect the environment or to conserve energy.

Exempted amusement and personal services provided through coin-operated machines that are operated by the consumer.

Exempted amusement services provided by governmental entities and certain non-profit organizations.

Taxed tangible personal property used by a contractor in performing a contract to improve realty for the federal government.

Provided a prior-contract exemption for taxable services, contracts to improve realty for the federal government, and the increase in the state tax rate.

Taxed cigarettes, cigars, and tobacco products under the Sales and Use tax as well as under the existing tobacco taxes.

Taxed canned computer programs and exempted custom computer programs.

Taxed all food sold ready for immediate consumption through a vending machine for 17 cents or more.

Taxed newspapers sold by individual copy or by subscription.

Taxed magazines sold by individual copy or by subscription.

Deleted the “segregation of tangible personal property” from the definition of “sale.”

Taxed charges for transportation occurring before the transfer of title or possession of tangible personal property.

Made resale and exemption certificates the only acceptable proof of resale or exemption. Required a seller to obtain a certificate at the time the transaction occurs or within 60 days from the date the Comptroller requires the seller to produce the certificates. If not obtained within the 60 days, the seller’s deduction is disallowed.

Required a lessor to collect Sales and Use tax on the entire sale price, including all lease payments, of a financing lease at the time the lessee takes possession of the property or when the first payment is due, whichever is earlier.

Excluded rentals and leases from the occasional sale exemption. Prohibited a person who holds a permit issued under Chapter 151 from making an occasional sale under Section 151.304(b)(1). Added an occasional sale exemption for certain sales of amusement services.

Limited the six-month useful life exemption to machinery, equipment, replacement parts or accessories that are entirely consumed or without value within six months after the date purchased new. Excluded taxable items that are rented or leased to a manufacturer from the manufacturing exemption.

Limited the exemption for fertilizer to that used on a farm or ranch in the production of an agricultural product held for sale.

Exempted the master tape of an audio or audiovisual work that is used to manufacture copies of the work.

Exempted certain flight simulators used exclusively for flight training in a licensed course of instruction.

### 1985 The 69th Legislature, Regular Session

Taxed certain telecommunications services. Effective October 1, 1985. Permitted cities and metropolitan transit authorities to impose city and MTA tax on intrastate telecommunications services. Effective October 1, 1987.

Provided stricter requirements for proof of export for items purchased in Texas and exported outside the United States. Effective August 26, 1985.

APPENDIX C (continued)  
**Summary of Legislative Changes to the  
Texas Sales and Use Tax Rate and Base**

Repealed the use tax exemption for tangible personal property acquired outside Texas and moved into Texas for use as a licensed and certificated carrier of persons or property (Section 151.330(c)). Effective October 1, 1985.

Added a provision allocating the city and MTA tax due on amusement services to the city or MTA in which the event takes place. Effective August 26, 1985.

Exempted gold and silver medallions designated as official sesquicentennial commemorative medallions by the Texas 1986 Sesquicentennial Commission. Effective August 26, 1985.

Amended the exemption for certain sales to or by Indian tribes to include the Kickapoo Indians. Effective September 1, 1985.

Allowed taxpayers to voluntarily contribute all or part of the timely filing discount earned on the Sales and Use tax return to a fund for student financial assistance grants. Effective June 14, 1985.

Made divergent use of tangible personal property purchased under a resale certificate subject to local sales tax rather than use tax. Effective August 26, 1985.

Transferred the language concerning the required date payment and the additional 10 percent penalty assessed under a deficiency determination to the General Provisions, Section 111.0081, and changed the date payment as required. Effective August 26, 1985.

Exempted tangible personal property used by a contractor in performing a contract for the improvement of realty for the U.S. Department of Defense in connection with a significant new naval military facility. Effective July 30, 1985.

Granted the Comptroller the authority to refuse to issue or renew any permit or license to a person who is delinquent in any tax collected by the Comptroller, Section 111.0046. Effective April 30, 1985.

**1986 The 69th Legislature, Second Called Session**

Repealed the provision requiring the state to pay interest on refunds of state tax overpayments. Effective December 4, 1986.

Credited to the General Revenue Fund interest earned on local taxes collected by the state and held in financial institutions before distribution to the local governments. The change in the law applied to interest earned before or after the clarifying amendment. Effective September 7, 1986.

**1986 The 69th Legislature, Third Called Session**

Until August 31, 1987, increased the state Sales and Use tax rate to 5.25 percent, with the rate reverting to 4.125 percent on September 1, 1987. Effective January 1, 1987. *(Note: The rate did not revert in 1987. Instead, the rate was raised on October 1, 1987 to 6 percent.)*

Provided a prior-contract exemption from the increase in the state tax rate. The exemption expired on September 30, 1987. Effective January 1, 1987.

Enacted the County Sales and Use Tax Act authorizing qualifying counties to impose a tax at a rate of 0.5 percent, or 1 percent if no incorporated city exists within the county. Revenues must be used to reduce property taxes. Effective January 1, 1987.

Provided for an additional 0.5 percent city tax to be imposed by cities for property tax relief. Effective January 1, 1987.

Provided for an additional 0.25 percent or 0.5 percent sales and use tax to be imposed by qualifying cities to fund a metropolitan transit department. Effective January 1, 1987.

APPENDIX C (continued)

## Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

### 1987 The 70th Legislature, Regular Session

Provided a prior-contract exemption for the county sales and use tax, the additional city sales and use tax, and the metropolitan transit department sales and use tax. The exemption expires three years after the effective date of the imposition of the local tax option. Effective April 2, 1987.

Allowed cities that do not impose a property tax to adopt the additional 0.5 percent city sales and use tax. Effective April 2, 1987.

Provided for refunds for Sales and Use taxes paid by enterprise projects on certain items. Effective August 31, 1987.

### 1987 The 70th Legislature, Second Called Session

*(All changes effective October 1, 1987 unless otherwise indicated)*

Increased the state Sales and Use tax rate to 6 percent.

Provided a prior-contract exemption from the increase in the state tax rate. Effective July 21, 1987. The exemption expired on July 1, 1990. Provided a separate prior-contract exemption for services added to the tax base, also effective July 21, 1987. This exemption expired on January 1, 1990.

Added the following services to the tax base: credit reporting services, debt collection services, insurance services, information services, real property services, and security services.

Added data processing services and real property repair and remodeling services to the tax base. Effective January 1, 1988.

Added for-profit country clubs to amusement services.

Provided that food sales through a vending machine are taxable at 50 percent of total gross receipts, except soft drinks and candy, which are taxable at 100 percent of total gross receipts.

Made taxable transportation both before and after the sale of a taxable item by deleting references to “transportation after the sale” from the exclusion from the definition of “sales price” in Section 151.007(c).

Taxed repair and remodeling labor in the same way.

Taxed charges for installation of tangible personal property in connection with the sale of the property whether or not the charges were separately stated from the charge for the property.

Exempted newspapers and the sale of magazines sold on subscription for a semi-annual or longer period.

Imposed a \$25 fee for Sales and Use tax permits and renewals.

Expanded the definition of “engaged in business” in Texas.

Added a definition of repair services.

Exempted ice used by commercial fishing boats.

Exempted newly taxable service transactions among affiliated entities.

Exempted lawn and yard services performed by persons younger than 18 years of age.

Exempted cooperative research and development ventures.

Provided a phased-in tax refund or reduced tax rate for certain equipment with a useful life in excess of six months and used in manufacturing. The tax refund began with property purchased in 1991.

APPENDIX C (continued)  
**Summary of Legislative Changes to the  
Texas Sales and Use Tax Rate and Base**

Repealed the following exemptions:

Sec. 151.011	Deleted the definition that allowed tangible personal property purchased in Texas under a resale or exemption certificate to be taken out of state without Texas tax being due.
Sec. 151.0032	Custom computer programs.
Sec. 151.028	Federal excise tax information.
Sec. 151.056	Deleted references to repairman.
Sec. 151.151	“Unable to ascertain” language deleted from section on who may issue a resale certificate.
Sec. 151.305	Coin-operated machine sales.
Sec. 151.314(d)	Food and drink served by common carriers.
Sec. 151.317(c)(2)	Restaurants and others preparing and storing food ready for immediate consumption.
Sec. 151.323	Basic local exchange service and telephone cooperatives.
Sec. 151.325	Solar energy devices.
Sec. 151.326	Broadcasting stations.
Sec. 151.3261	Original visual or audiovisual materials.
Sec. 151.327	Motion picture films.
Sec. 151.330(b)	Sales to common carriers.
Sec. 151.330(e)	Repair parts for common carriers.
Sec. 151.333	Equipment used in enterprise zones.
Sec. 151.334	Lone Star medallions.
Sec. 151.336	Certain coins and precious metals.

**1989 The 71st Legislature, Regular Session**

Accelerated the effective date of the phased-in tax refund for certain manufacturing machinery and equipment with a useful life of more than six months. Provided an exemption for pollution control equipment. Effective August 28, 1989.

Provided an exemption for purchases by certain cooperative research and development ventures (MCC and Sematech of Austin). Effective August 28, 1989.

Provided special export procedures for maquiladora enterprises. Effective June 14, 1989.

Provided an exemption for temporary help services. Effective October 1, 1989.

Provided an exclusion from the definition of taxable services for the creation of computer software and for the maintenance and repair of software owned by a third party. (Exempted contract programmers already exempt by rule.) Effective October 1, 1989.

Provided an exemption for sales of certain items through coin-operated bulk vending machines for 25 cents or less. Effective October 1, 1989.

Granted an exemption for amusement services provided in a place designated as a Recorded Texas Historic Landmark by the Texas Historical Commission or included in the National Register of Historic Places. Effective October 1, 1989.

APPENDIX C (continued)  
**Summary of Legislative Changes to the  
 Texas Sales and Use Tax Rate and Base**

Added provisions for nonresidents (mail-order firms) to collect use tax and a formula for allocation of local tax. Effective on the first day of the first month following the effective date of the federal legislation, if and when passed.

Reinstated the “storage and use” exclusion to Section 151.011. Effective October 1, 1989.

Provided an exemption for lawn care services provided by certain individuals 65 years and older. Effective October 1, 1989.

Provided an exemption for component parts, machinery, tools, and equipment used or consumed in retrofitting or repairing jet aircraft engines. This exemption is subject to the phased-in refund provisions for items purchased beginning in 1990. Effective August 28, 1989. A separate exemption was provided for these same items used in repair, remodeling, or maintenance of aircraft for or by a licensed or certificated carrier. Effective September 1, 1989.

Provided an exemption for the sale of platinum, gold, silver or numismatic coins or platinum, gold or silver bullions in a transaction of \$1,000 or more. Effective August 28, 1989.

Provided for a one-time refund of Sales and Use taxes paid by certified businesses in enterprise zones, not to exceed \$5,000 per business. Effective September 1, 1991.

Expanded the exemption for writings and periodicals of religious organizations to include writings published by philanthropic, charitable, historical, scientific and similar organizations. Effective August 28, 1989.

Allowed the San Saba Hospital District, the Parker County Hospital District, and county crime control and prevention districts to impose local tax if approved by voters. Effective August 28, 1989 for the two hospital districts; June 14, 1989 for crime control and prevention districts.

Allowed cities to impose local tax to benefit certain industrial development corporations. Effective January 1, 1990.

**1989 The 71st Legislature, First Called Session**

Allowed all hospital districts to impose local tax if approved by voters. Effective September 1, 1989.

**1990 The 71st Legislature, Sixth Called Session**

Increased the state Sales and Use tax rate to 6.25 percent from 6 percent. Provided a prior-contract exemption. Effective July 1, 1990.

**1991 The 72nd Legislature, Regular Session**

Provided motor vehicle repairers operating under separated contracts a resale exemption for consumable supplies resold to customers. Effective October 1, 1991.

Established June 30, 1993 as the expiration date for the prior-contract exemption on the 6.25 percent rate increase.

Provided a Sales and Use tax exemption for corporations formed by the Texas National Research Laboratory Commission (TNRLC). Provided an exemption for taxable items purchased or leased from a corporation established by the TNRLC (non-profit financing corporations issuing revenue bonds for the super-conducting super collider research facility). Effective September 1, 1991.

**1991 The 72nd Legislature, First Called Session**

*(All changes effective October 1, 1991 unless otherwise indicated.)*

Amended Section 151.429 requiring jobs in the enterprise project to be permanent, and requiring the Texas Department of Economic Development to certify annually that the required level of employment has been maintained. Directed the Comptroller to assess the amount refunded plus penalty and interest if the job level is not maintained.

Broadened the “engaged in business” provisions under Sections 151.008(b)(5) and 151.007(a)(4).

APPENDIX C (continued)  
**Summary of Legislative Changes to the  
Texas Sales and Use Tax Rate and Base**

Added to the list of taxable services telephone answering services where the messages are taken by a human operator.

Repealed the Sales and Use tax permit fee.

Repealed the exemption for wrapping and packaging supplies.

Taxed charges for membership in non-profit country clubs described under Section 501(c)(7) of the Internal Revenue Code.

Taxed musical concerts given by those entities listed under Subsection 151.3101(a) if provided jointly with a person not listed under (a).

Limited the exemption under Section 151.311 to school districts and public and private non-profit hospitals licensed under Chapters 241 or 577 of the Health and Safety Code. (Materials sold by separated contractors to exempt entities still qualify for the sale for resale exemption. Lump-sum contractors owe tax on materials.)

Excluded boats and motors defined by Chapter 160 from the exemption in Section 151.3111.

Delayed the manufacturing exemption for machinery and equipment until October 1, 1993.

Amended Section 151.0048 to exclude from “garbage” hazardous waste, industrial solid waste, waste from oil fields, and sewage. Effective September 1, 1991.

Provided a prior-contract exemption for the change to Section 151.311 only for contracts signed on or before August 14, 1991. The exemption expired August 14, 1994.

**1993 The 73rd Legislature, Regular Session**

Amended Section 151.0048 to exclude from the definition of “garbage” industrial discharges subject to regulation by permit issued pursuant to Chapter 26 of the Water Code.

Expanded Section 151.058 to cover all services rather than just repair services and further defined “sales price” of services. Effective September 1, 1993.

Amended Section 151.103 (Use tax) to make it the same as Section 151.052 (Sales tax). Effective October 1, 1993.

Changed “tangible personal property” to “taxable item” in Section 151.104. Effective September 1, 1993.

Added Sections 151.157, 151.158, 151.159, 151.160, 151.307(c) and (d), 151.3071, and 151.713 to cover customs brokers and exports. Provided an exemption for exported audio equipment, even if installed in Texas before export. Effective June 19, 1993.

Added subsection (g) to Section 151.304 so that persons holding permits would owe use tax when purchasing tangible personal property from a person making an occasional sale under Section 151.304(b)(1). Effective September 1, 1993.

Amended Section 151.308 to put mobile offices under Chapter 151. Effective October 1, 1993.

Added subsection (6) to Section 151.309 providing a reciprocal Sales and Use tax exemption for bordering states. Effective July 1, 1993.

Amended Section 151.310(c) to allow organizations under Section 151.310(a)(2) (as well as (a)(1)) and each chapter of such organizations to hold two (increased from one) tax-free sales or auctions during a calendar year. Also added guidelines for charitable care requirements that non-profit hospitals must meet to qualify for exemption from the Sales and Use tax. Effective August 30, 1993.

Amended Section 151.311 to allow contractors an exemption for incorporated materials, consumable supplies, and certain services when improving realty for organizations covered by Sections 151.309 and 151.310. Taxed the contractor’s equipment. Provided a three-year prior-contract exemption for machinery and equipment used in a contract

## APPENDIX C (continued)

### Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

to improve realty for school districts and certain non-profit hospitals if the contract was signed before October 1, 1993. The prior-contract exemption was not made a part of the Tax Code but was part of the enabling legislation. Effective October 1, 1993.

Added subsection (b) to Section 151.316 to provide an exemption for components of underground irrigation systems sold or used to be installed on farms and ranches. Effective September 1, 1993.

Added subsection (p) to Section 151.318 making the production of a motion picture, video, or audio recording “manufacturing.” Also allowed an exemption for the machinery and equipment rented for use in production. Effective October 1, 1993.

Repealed Section 151.318(c)(5) on wrapping and packaging. Effective October 1, 1993.

Clarified that “magazine” does not mean the publication of current information that is taxable pursuant to Section 151.0038 as an “information service.” Added to Section 151.320(b). Effective September 1, 1993.

Amended Section 151.328 to allow an exemption certificate to be issued for aircraft purchased by nonresidents. Effective October 1, 1993.

Amended Section 151.330 by adding subsections (h) and (i) to allow an exemption for certain sales to and purchases by common carriers. (Previously covered by subsections (b) and (e) of 151.330; subsections (b) and (e) were repealed effective October 1, 1987). Effective October 1, 1993.

Added Section 151.350 to exempt labor to restore real or personal property damaged in a disaster area. (The materials used remained taxable.) Effective October 1, 1993.

Amended Sections 151.401 and 151.402 requiring electronic filers to file by August 20 on all sales made between August 1 and August 15. Effective September 1, 1994, it expired on January 1, 1996. (The Legislature gave the Comptroller authority to waive this requirement for all affected taxpayers.)

Amended Section 151.429 to include a “qualified hotel project” as an enterprise project if the hotel is owned by a municipality or non-profit municipally-sponsored local government corporation. The amendment refunds 100 percent of the Sales and Use tax collected at the project to the hotel owner. Effective August 30, 1993.

Repealed Sections 151.502 and 151.706 concerning penalties. Effective September 1, 1993.

Added Section 151.7031 to impose a \$50 penalty if a person fails to file timely reports on two or more occasions. Effective September 1, 1993.

Amended Section 151.707 to increase penalties for intentionally giving invalid resale or exemption certificates. Effective September 1, 1993.

Amended Section 151.801 to allocate Sales and Use taxes collected from the sale of sporting goods to the State Parks Account in the General Revenue Fund. Defined “sporting goods.” Effective September 1, 1993.

### **1995 The 74th Legislature, Regular Session**

#### ***Senate Bill 640—effective October 1, 1995***

Amended Section 151.0036, the definition of “debt collection service,” to allow a person handling or collecting on a non-sufficient funds check to collect tax from the drawer or endorser of the check.

Amended Section 151.0038 to exclude from the definition of “information service” the furnishing of information to a member of a homeowners association of a residential subdivision or condominium development by or on behalf of the association.

Amended Section 151.0047 to exclude from the definition of “real property repair or remodeling” an improvement to a processing unit that increases capacity at a petrochemical refinery or chemical plant.



APPENDIX C (continued)  
**Summary of Legislative Changes to the  
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Amended Section 151.0048 to exclude from the definition of a “real property service” such services purchased by a contractor as part of the improvement of new residential structures.

Amended Section 151.027, on confidentiality of tax information, to allow the Comptroller to provide information to an eligible city, as prescribed in the new Section 321.3022.

Amended Section 151.154 to clarify the liability of a purchaser making a divergent use of taxable items purchased with a resale certificate. Substituted “taxable items” for “tangible personal property.” Defined the value of a taxable service as the amount a purchaser would pay on the open market to obtain the service for use.

Amended Section 151.155 to clarify the liability of a purchaser making a divergent use of taxable items purchased with an exemption certificate. Substituted “taxable items” for “tangible personal property.” Defined the value of a taxable service as the amount a purchaser would pay on the open market to obtain the service for use.

Amended Section 151.313, concerning health care supplies, to clarify that hospital beds are exempt medical equipment.

Amended Section 151.314(e), which exempts certain sales of food and non-food products by young people, to raise the maximum qualifying age of the seller from 17 to 18 years old.

Amended Section 151.316, on agricultural items:

- to define “machinery and equipment” used in the processing, packing and marketing of agricultural products to include required pollution control equipment;
- to enable closely-held related corporations to qualify as an “original producer”;
- to allow a producer to qualify as an “original producer” so long as more than 95 percent of the products processed belong to that producer;
- to codify the definition of “farm or ranch” in Rule 3.296; and
- to define “original producer.”

Added a new Section 151.3161 to exempt the first \$50,000 of equipment purchased for exclusive use in commercial timber operations. Excluded from the exemption: equipment rented for a term of less than 12 months; repair parts, accessories, and components; and hand-held tools.

Amended Section 151.3111, which exempts services performed on tangible personal property that is exempt, to exclude from the exemption services performed on machinery and equipment with a purchase price greater than \$50,000.

Amended Section 151.317(c) to clarify the definition of “residential use” for purposes of the gas and electricity exemption. Clarified the exemption for gas and electricity used in producing and transporting a material extracted from the earth by changing “exploring for, or producing and transporting” to “exploring for, producing, or transporting.” Exempted electricity used in jet engine repair work for licensed carriers.

Amended Section 151.318, on property used in manufacturing:

- to limit the exclusion in subsection (e) for taxable items rented or leased to those leased for less than a year;
- to correct subsection (m) to make it clear that the reduction in state taxes paid on machinery purchased in 1994 did not affect local taxes;
- to extend the exemption in subsection (n) to certain consumable supplies used by persons overhauling jet turbine engines; and
- to clarify the existing manufacturing exemptions and add additional exemptions for semiconductor “cleanroom equipment” and supplies.



APPENDIX C (continued)

## Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

Amended Section 151.319, the exemption for newspapers and property used in newspaper publication, to delete subsection (e)(5), which excluded from the exemption wrapping and packaging supplies used by newspapers.

Amended Section 151.342, relating to agribusiness items, to exempt poultry cages used as containers in transporting poultry from a poultry farm to a location where the poultry is processed, packaged, or marketed.

Amended Section 151.350 to clarify that the exemption for labor performed on real or tangible personal property damaged in a “disaster area” is not limited to repair labor, but includes labor performed in connection with cleaning, restoration, and remodeling.

***Senate Bill 1658—effective September 1, 1995***

Added Section 111.110 to allow the owner of certain real estate transferred to the University of Houston on or before August 31, 1996, to qualify for a tax credit to reduce the owner’s Sales and Use tax liability if the owner is a direct pay permit holder.

***Senate Bill 345—effective September 1, 1995***

Added Section 111.301 to provide certain eligible persons a refund of state Sales and Use taxes for ad valorem taxes paid to a school district on certain property. The property must be located in a reinvestment zone created under Chapter 312, exempt in whole or in part from the payment of ad valorem taxes imposed by a city or county under a tax abatement agreement, and not subject to a tax abatement agreement entered into with a school district.

***Senate Bill 793—effective September 1, 1995***

Amended Section 151.0036 to exclude from the definition of debt collection service the collection of court-ordered child-support payments or medical child-support payments.

***House Bill 462—effective October 1, 1995***

Amended Section 151.314, on food and food products, to exclude from the exemption meals, soft drinks, and candy sold to inmates of correctional facilities operated under the authority of or under contract with the State of Texas or a political subdivision of the state.

***Senate Bill 833—effective July 1, 1995***

Amended Section 151.328 to exempt purchases by a person with a Sales and Use tax permit of aircraft used in flight instruction approved by the Federal Aviation Administration (FAA) and provided under the supervision of an FAA-certified flight instructor.

Exempted parts and labor as well as machinery, tools, supplies, and equipment exclusively used to repair, remodel, or maintain flight-training aircraft, engines, or component parts of the flight-training aircraft. The exemption includes tangible property that is permanently affixed or attached as a component part of the flight-training aircraft or that is necessary for the normal operation of the aircraft and is pumped, poured, or otherwise placed in the aircraft.

Exempted supplies used exclusively in the repair, remodeling, or maintenance of aircraft, aircraft engines, or component parts for a certificated or licensed carrier. Provided an exemption for materials or substances necessary for the normal operation of aircraft and pumped, poured, or otherwise placed in an aircraft used by carriers.

***House Bill 1611—effective July 1, 1995***

Amended Section 151.329 to exempt materials and supplies purchased by a person providing stevedoring services for a ship or vessel that is operating exclusively in foreign or interstate coastal commerce if the supplies are loaded aboard the vessel and remain on the vessel when it departs.

***House Bill 467—effective October 1, 1995***

Amended Section 151.331 to exempt natural gas, electricity, and other fuels used or consumed predominately in the repair, maintenance, or restoration of rolling stock.

APPENDIX C (continued)  
**Summary of Legislative Changes to the  
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***House Bill 1583—effective July 1, 1995***

Amended Section 151.347 to exempt lawn care or landscaping services provided by a person who is self-employed if the service provider earned no more than a total of \$5,000 from his or her lawn care or landscaping business during the previous four calendar quarters. Increased the limit for receipts for lawn care or landscaping services provided by a person younger than 18 to a total of \$5,000 or less for landscaping or lawn care during the last four calendar quarters.

***House Bill 2065—effective September 1, 1995***

Amended Section 151.429, on tax refunds for enterprise projects, to allow for the refund of tax paid by an enterprise project on labor to remodel or rehabilitate a structure in an enterprise zone. Also allowed a project to claim a refund on electricity and natural gas it purchased and used in the normal course of business in the enterprise zone. Changed the definition of a “new permanent job” from at least 1,040 hours of employment a year to at least 1,820 hours of employment a year.

***Senate Bill 1629—effective August 26, 1995***

Amended Section 151.429(h) to extend the time during which a qualified hotel project can receive a rebate, refund, or payment of the Sales and Use tax paid or collected by the hotel or by businesses located in the hotel to 10 years after the hotel opens from seven years.

***House Bill 596—effective October 1, 1995***

Added a new Section 151.321 to allow certain qualifying college and university student organizations to hold a single, one-day tax-free fund-raising sale each month.

***Senate Bill 982—effective September 1, 1995***

Amended Section 151.006, on sales for resale, to authorize a purchaser to give a properly completed resale certificate to a Texas seller if acquiring a taxable item for the purpose of selling, leasing, or renting the item in Mexico in the normal course of business.

Amended Section 151.152, on resale certificates, to require that a resale certificate issued by a purchaser engaged in business in Mexico show the purchaser’s Mexican federal identification number in addition to other information required.

Amended Sections 151.027 and 111.006, on confidentiality of tax information, to allow the Comptroller to share information with a Mexican tax official.

***Senate Bill 737—effective October 1, 1995***

Added Section 151.353 to exempt certain court reporting services whether the service is provided as a paper transcript, audio or video tape, or in a computer readable format. Excluded from the exemption are charges for copies of transcripts (paper, diskettes, and video or audio tapes) sold to a person who is not a participant in the suit.

***Senate Bill 1190—effective September 1, 1995***

Amended the provisions of Section 151.310 that require most non-profit hospitals to provide a prescribed level of charity care in order to retain their Sales and Use tax exemptions. The amendments allow hospital systems to elect to satisfy charity care standards on a system-wide basis rather than on an individual-facility basis as previously required. The amendments also provide that a hospital will be in compliance with the charity-care standards if it has been designated as a “Medicaid disproportionate share” hospital in either of its two previous fiscal years or during the current fiscal year.

**1997 The 75th Legislature, Regular Session**

***House Bill 92—effective September 1, 1997***

Created two new chapters in the Local Government Code authorizing, among other items, voters in cities and/or counties to create community venue districts and to impose a local sales and use tax for the construction, renovation, operation, or maintenance of a sports stadium or other approved facility. The maximum sales and use tax rate is 0.5 percent, to be imposed in increments of 1/8th percent. [It is possible that enacting a sales and use tax under

## APPENDIX C (continued)

### Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

this new law would require either reducing the rate of one or more other local sales and use taxes (to prevent the total local sales and use tax rate from exceeding 2 percent), or repealing an existing local sales and use tax.]

***Senate Bill 226—effective May 19, 1997***

Provided for the creation of Defense Economic Readjustment Zones. Businesses designated as defense readjustment projects are eligible for Sales and Use tax refunds, on certain purchases, of \$2,500 for each new permanent job or job retained. A firm would not be able to receive more than \$250,000 in refunds annually.

***House Bill 1855—effective October 1, 1997***

Amended Section 151.318 to state that the exemption for tangible personal property used in the manufacturing process is limited to property used directly in the process and that makes or causes a chemical or physical change in the product being manufactured for sale or in an intermediate or preliminary product that becomes a part of the product being manufactured for sale. The bill clarified that intraplant transportation equipment—specifically including piping and conveyor systems—is taxable.

***House Bill 1445—effective September 1, 1997***

Clarified that a totalisator service—a service used by racetracks to process wagering information—is data processing for the purposes of the Sales and Use tax.

***Senate Bill 862—effective September 1, 1997 and October 1, 1997***

Defined telephone prepaid calling cards as tangible personal property, effective September 1, 1997. Amended the exemption for certain tax-free fund raising functions to limit the exemption to items costing \$5,000 or less, effective October 1, 1997.

This bill also clarified numerous other Sales and Use tax issues, including an exemption from tax on gas and electricity used by companies doing certain defense and security-related contract work on behalf of the U.S. government or foreign governments, effective September 1, 1997.

***Senate Bill 1—effective July 1, 1997***

Included in Chapter 151 a provision to allow manufacturers to claim a Sales and Use tax exemption for water conservation equipment purchased to reduce water use and wastewater flow volumes from the manufacturing operation; to reuse and recycle wastewater streams generated within the manufacturing operation; or to treat wastewater from another industrial or municipal source to replace existing freshwater sources in the manufacturing operation.

***House Bill 2157—effective October 1, 1997***

Allowed a credit to resellers of tickets for amusement services for the Sales and Use tax paid on the original purchase of the ticket.

Various bills were enacted relating to local government sales and use taxation, including Senate Bill 1674 (effective September 1, 1997), which authorized the creation of library districts and the imposition of a sales and use tax not to exceed 0.5 percent; and House Bill 758 (effective May 20, 1997), which allowed hospital districts to impose sales taxes in additional increments of 1/8th percent, up to 2 percent.

## 1999 The 76th Legislature, Regular Session

***House Bill 652—effective July 1, 1999***

Amended Section 151.313 to provide an exemption for the purchase of an adjustable utensil that facilitates independent eating. The specialized utensil must be purchased for use by an individual who does not have full use or control of his or her hands or arms.

***House Bill 871—effective July 1, 1999***

Added Section 151.343 to exempt the sale of an animal by a non-profit animal shelter, including the acceptance of a fee for adoption. Defined “animal shelter” as a facility that keeps or legally impounds stray, homeless, abandoned, or unwanted animals.

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**Summary of Legislative Changes to the  
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***House Bill 2146—effective July 1, 1999***

Amended Section 151.305 to increase the threshold for exemption for toys designed primarily for children, food (but not beverages), candy, and chewing gum—if they are sold through a coin-operated bulk vending machine. Increased threshold to 50 cents or less, from 25 cents or less.

***House Bill 3623—effective October 1, 1999***

Amended Section 151.0048 to exclude surveying as a taxable real property service if purchased by the owner of real property as a part of the improvement of the real property with a new structure to be used as a residence or other improvement immediately adjacent to the new structure and used in the residential occupancy of the structure. To expire on October 1, 2001.

***Senate Bill 441***

***Internet Access—effective October 1, 1999***

Added Section 151.325 to exempt up to the first \$25 of the monthly charge for Internet access from tax, regardless of the billing period used by the service provider or whether the Internet access service is bundled with another service.

***Information and Data Processing Services—effective October 1, 1999***

Added Section 151.351 to exempt 20 percent of the value of information and data processing services from tax. As a result, tax will be owed on 80 percent of taxable data processing and information services.

***Over-the-Counter Drugs and Medicines—effective April 1, 2000***

Amended Section 151.313 to exempt from tax over-the-counter drugs that are labeled with a national drug code issued by the federal Food and Drug Administration. Also exempted from tax blood glucose monitoring test strips.

***Three-Day Tax-Free Clothing Holiday—effective June 3, 1999***

Added Section 151.326 to provide an annual three-day period during which purchases of certain clothing and footwear become exempt from tax. The tax holiday will be held every year on the first Friday, Saturday, and Sunday of August. In August 1999, the exemption applied to both state and local sales and use taxes. In subsequent years local taxing entities will have the choice of participating in the holiday. During the tax holiday, certain clothing and footwear priced at less than \$100 will be exempt from the Sales and Use tax. Customers will receive the exemption on individual items, regardless of the total amount of purchase. Clothing and footwear used primarily for athletic activities or for protective wear will not be eligible for the exemption unless the athletic wear is commonly worn other than while participating in an athletic activity, such as tennis shoes, baseball caps, and jogging suits.

***Senate Bill 977—effective October 1, 2001***

Amended several sections of Chapter 151 (including Section 151.316) to exempt a variety of items, including seedlings, certain chemicals, and machinery and equipment used in the production of timber. On October 1, 2001, state and local sales and use taxes will be due on the covered items, but the purchaser will be entitled to a credit for or a refund of a portion of the taxes paid. Initially, the amount of the credit or refund will be 33 percent of the amount of tax paid, increasing to 50 percent and then 75 percent. On January 1, 2008, the relevant items will become completely exempt.

**2001 The 77th Legislature, Regular Session**

***House Bill 82—effective October 1, 2001***

Amended Section 151.321 to provide an exemption for the first \$5,000 of otherwise taxable receipts each calendar year from fund-raising sales or auctions made by qualified university and student organizations that are tax exempt. This exemption is in addition to the one-day tax-free sale or auction such organizations may have each calendar month.

APPENDIX C (continued)

## Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

***House Bill 1098—effective September 1, 2001***

Amended 151.052 to allow a purchaser of printed materials, delivered by the printer to the postal service or mail fulfillment house, to issue an exemption certificate to the printer in lieu of tax. The materials must be distributed by mail to individual recipients, both in-state and out-of-state, other than the purchaser.

***House Bill 1845—effective June 15, 2001***

Created Chapter 142 of the Tax Code to authorize the Comptroller to represent Texas in national efforts to simplify the states' sales tax structures. The intent of such efforts is to modernize sales and use tax administration and substantially reduce the burden on taxpayers.

***House Bill 2686—effective September 1, 2001***

Amended Section 151.429 and 151.4291 for enterprise projects designated after September 1, 2001 to increase the sales tax refund for each new or retained job to \$5,000 from \$2,000. Expanded the list of qualifying taxable items for refund to include any tangible personal property and any taxable services used by the project in the zone.

***Senate Bill 2 and Senate Bill 312—effective September 1, 2001***

Added Section 151.355 to exempt various types of equipment and services used for rainwater harvesting, water recycling, water use reduction, desalination, precipitation enhancement, regional water and wastewater systems; and by partnerships of public and private entities to construct or operate water supply or waste water systems.

***Senate Bill 5—effective September 1, 2001***

Added Section 151.0515 to include a surcharge of 1 percent on the purchase, rental, or lease of off-road, heavy-duty, diesel-powered construction equipment.

***Senate Bill 1125—effective September 1, 2001 and October 1, 2001***

Made several changes to Chapter 151 to establish more stringent criminal penalties for failure to remit tax collected, selling taxable items without a sales tax permit, and failure to file a sales tax report (effective September 1, 2001).

Added Section 151.3021 to exempt certain wrapping and packaging supplies when purchased by laundries or dry cleaners and used to package items that have been pressed, dry cleaned, or laundered (effective October 1, 2001).

Added Section 151.3181 to change the calculation used to determine taxable divergent use for tangible personal property qualifying for manufacturing exemptions (effective October 1, 2001).

Clarified numerous other tax issues, including:

- charges for the installation of tangible personal property are part of the taxable sales price;
- the sale or use of a taxable item in an electronic form instead of on physical media does not alter the item's tax status;
- temporary services may be taxable unless the services are provided by a temporary employment service as defined by Section 93.001 of the Labor Code;
- services provided by a staff leasing company may be taxable unless the staff leasing company is licensed under Chapter 91 of the Labor Code or exempt from the licensing requirements of that chapter;
- the sale of motion picture, video, and audio masters is not subject to tax;
- the exemption for equipment used by a manufacturer in the quality-control process is limited to equipment used to test the product manufactured for sale; and
- photographic props are not taxable when sold to professional photographers or printers.

APPENDIX C (continued)  
**Summary of Legislative Changes to the  
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***Senate Bill 1497—effective August 1, 2002***

Added Section 151.061 to base the tax on mobile telecommunications service upon the location where the customer's use primarily occurs.

Various bills were enacted related to local sales and use taxation. These bills included House Bill 445 (effective June 11, 2001), to allow cities to impose a 0.25 percent sales and use tax for street maintenance; and House Bill 1096 (effective June 16, 2001), to allow a city with a population of 25,000 to 550,000 and a city with a population over 1.9 million to create a fire control, prevention, and emergency medical services district and impose a local sales and use tax of 0.125 percent to 0.5 percent (in 0.125 percent increments).

**2003 The 78th Legislature, Regular Session**

***House Bill 109—effective January 1, 2004***

Added Section 151.1575 to allow custom brokers to issue export documentation after examining a passport or other acceptable foreign photo ID; to require the purchaser to produce the property and original receipt; and to require the purchaser to certify in writing the applicable export information, such as place and time of export.

Amended Section 151.157 to require brokers to post a \$5,000 bond and pay an annual license fee of \$300 for each place of business from which they will issue export certifications and file quarterly reports. Amended Section 151.158 to set export certification stamps at \$1.60 each.

***House Bill 2425—effective June 20, 2003***

Amended Section 151.318 to exempt materials used to construct or build a pharmaceutical biotechnology cleanroom and equipment used in the cleanroom when installed during the construction of a new facility with a value of at least \$150 million, provided the construction began after July 1, 2003 and before August 31, 2004.

***House Bill 2425—effective June 20, 2003***

Amended Section 151.011 to make tangible personal property, such as a raw material, that is purchased and processed out of state subject to use tax when used in Texas after processing or manufacturing. (Not applicable to printed materials.)

***House Bill 2425—effective July 1, 2004***

Added Section 151.103 to require a retailer to collect and remit applicable local use taxes regardless of whether the retailer is engaged in business in a particular local taxing jurisdiction.

***House Bill 2425—effective October 1, 2003***

Amended Section 151.314 to exempt as food products fruit drinks containing more than 50 percent juice and to exempt individual-sized bakery items, such as doughnuts and cookies sold without plates or eating utensils even if sold in quantities of five or less.

Amended Section 151.314 to require retailers who mix two or more food ingredients for sale by weight or volume (e.g., salad) as a single item to collect sales tax unless the mixture has raw animal foods (eggs, fish, meat or poultry) that require cooking by the consumer per FDA recommendations. (The provision does not include bakery items and food that is only cut, repackaged, or pasteurized.)

***House Bill 2425—effective July 1, 2004***

Amended Sections 321.203 and 323.203 to require retailers providing taxable services to collect local (city, county, special purpose district, or transit) tax based on the location at which the service is performed or otherwise delivered to the purchaser.

***House Bill 2519—effective January 1, 2004***

Added Section 151.3105 to exempt qualifying bingo equipment when purchased by an organization licensed to conduct bingo under Chapter 2001 of the Occupations Code. The organization must be exempt under IRS Section 501(c)(3), (4), (8), (10), or (19).



APPENDIX C (continued)

## Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

### 2005 The 79th Legislature, Regular Session

#### *House Bill 1531—effective September 1, 2005*

Amended Section 1707.331 of the Occupations Code to exempt telematics service providers from licensing as investigation companies, thereby making their basic charges no longer subject to taxation as security services. Instead, telematics service providers (e.g., electronic stolen vehicle tracking services) were required to pay an annual fee of \$2,500 to the Texas Department of Public Safety and meet certain business practice and procedure guidelines. Because telematics services also include telecommunications and information services, which are subject to sales tax, the taxability of monthly charges will depend upon the specific services provided to the customer.

#### *House Bill 3140—effective June 18, 2005*

Amended Section 1702.002 of the Occupations Code to state that the term “alarm system” does not include a telephone entry system, an operator for opening or closing a residential or commercial gate or door, or an accessory used only to activate a gate or door if not connected to an alarm system. The bill stipulated that if services are exempted from private security regulation, they are not taxable security services within the meaning of Tax Code Sections 151.0075 and 151.0101(a)(14).

#### *Senate Bill 568—effective September 1, 2005*

Added Section 1702.331 to the Occupations Code to define “personal emergency response systems” as systems installed in a residence and monitored by an alarm system company that will dispatch aid when a person signals a medical or personal emergency, but are not burglar or fire alarms. The bill stipulated that companies selling, installing, servicing, monitoring, or responding to personal emergency response system services must be licensed by the Health and Human Services Commission, and that such services are not subject to sales and use tax as security services. However, because personal emergency response system services can also include telecommunications services that are subject to sales tax, the taxability of monthly charges will depend upon the specific services provided to the customer.

### 2007 The 80th Legislature, Regular Session

#### *House Bill 4—effective June 15, 2007*

Amended Section 151.355, concerning water related exemptions, to exempt tangible personal property used to process, reuse or recycle wastewater for use in fracturing work at an oil or gas well.

#### *House Bill 11—effective September 1, 2007*

Added Section 151.433 to allow the Comptroller, when it is considered necessary for the administration of the limited sales, excise and use taxes, to require wholesalers and distributors of beer, wine or malt liquor to electronically file a monthly report of sales made to retailers during the previous month. [Similar provisions were added regarding sales of cigarettes (Section 154.212) and cigars and tobacco products (Section 155.105).]

#### *House Bill 12—effective June 15, 2007*

Amended Section 151.801 to allocate the proceeds from the collection of taxes imposed by Chapter 151 on the sale, storage or use of sporting goods between the Parks and Wildlife Department and the Texas Historical Commission.

#### *House Bill 373—effective July 1, 2007*

Amended Section 151.304 to expand the definition of an “occasional sale” to exempt from sales tax the sale of personal property by an individual who first purchased the property for personal or family use, as long as total receipts from such sales do not exceed \$3,000 in a calendar year. To qualify for the exemption, the seller cannot hold, or otherwise be required to hold, a sales tax permit. The expanded exemption applies to online sales of items through an auction, but not to sales made through the use of an auctioneer, broker or factor. This exemption does not apply to sales of motor vehicles.

#### *House Bill 387—effective June 15, 2007*

Repealed Section 151.349, which provided sales tax exemptions for taxable items sold to, leased by or used by any corporation established by the Texas National Research Laboratory Commission.

APPENDIX C (continued)  
**Summary of Legislative Changes to the  
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***House Bill 1459—effective September 1, 2007***

Amended Section 151.0103 to exclude from the definition of a telecommunications service telephone calls made by payment of coins through pay telephones, thereby exempting such calls from sales tax. The amendment clarified that the exemption only applies to the portion of the pay telephone call that is paid by coin, so that calls made at a pay phone, but paid for by other means, such as a credit card, remain taxable.

***House Bill 2833—effective September 1, 2007***

Amended Occupations Code Section 1702.102 to require locksmith companies and private security consultant companies to be licensed by the Private Security Bureau of the Texas Department of Public Safety as security service contractors, beginning with new and renewal registrations filed on and after January 1, 2008. Services for which a license is required under Occupations Code Section 1702.102 are subject to sales tax as security services under Tax Code Section 151.0075. As such, locksmiths and security service consultants not previously required to be permitted have had to apply for a sales tax permit and start collecting and remitting sales tax on their services beginning January 1, 2008.

***House Bill 3314 and House Bill 3319—effective June 15, 2007***

(Each) amended Section 151.326 to move the sales tax holiday for clothing and footwear from the first weekend in August to the third weekend in August; and added Section 151.327 to insert backpacks under \$100 for use by a student in a public or private elementary or secondary school in the list of items that may be purchased tax-free during the sales tax holiday provided for under Section 151.326.

***House Bill 3319—effective September 1, 2007***

Amended Section 151.0048 to exclude from the definition of “real property service” a service performed by a landman that is necessary to negotiate or secure land or mineral rights for acquisition or trade. A landman may still provide taxable information services.

Amended Section 151.006 to include in the definition of “sale for resale” the transfer of a “wireless voice communication device” (i.e., cell phone) when the phone is an integral part of a taxable service, regardless of whether the provider of the phone is the provider of the taxable service, as long as the payment for the service is a condition for receiving the phone.

Amended Section 151.056 to require ready-mix concrete contractors that: manufacture ready mix concrete for construction purposes and incorporate it into realty to separately state the price of the concrete and individually invoice the customer for each yard sold. The ready-mix concrete contractor is also required to collect and remit tax on the concrete used or consumed. The tax rate is applied to the greater of the actual invoice price or the fair market value of the concrete on jobs other than public works projects.

Repealed Section 151.103 (d), which required a retailer to collect any applicable local use taxes regardless of whether the retailer was engaged in business in a particular local taxing jurisdiction into which a taxable item was shipped or delivered.

Repealed Section 151.202 (c), which required a person desiring to be a seller in this state to agree to collect any applicable local use taxes regardless of whether the retailer was engaged in business in a particular local taxing jurisdiction into which a taxable item was shipped or delivered.

Amended Section 151.313 to clarify the definition of a drug or medicine and to exempt from sales tax over-the-counter drugs or medicines that are required to be labeled with a “drug facts” panel according to regulations of the federal Food and Drug Administration.

Amended Section 151.3162 to exempt seedlings of trees grown for commercial timber from the sales tax.

Amended Section 151.318 (b)(3) dealing with pharmaceutical biotechnology cleanrooms. Prior to September 1, 2007, Tax Code Section 151.318 exempted biotechnology cleanrooms and equipment only for new facilities with a value of at least \$150 million on which construction began after July 1, 2003 and before August 31, 2004. This



APPENDIX C (continued)  
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bill deletes the minimum \$150 million value requirement and the requirement that construction begin before August 31, 2004.

Amended Section 151.328 to clarify that an aircraft is exempt if sold in Texas to a person for use and registration in another state or nation before any use of the aircraft is made in Texas other than flight training in the aircraft or the transportation of the aircraft out of this state. Also amended Section 151.328 to change the term “flight simulator” to “flight simulation training device” and update references to the relevant Federal Aviation Administration regulations.

***House Bill 3693—effective September 1, 2007***

Added Section 151.333 to create a sales tax holiday for certain energy efficient products purchased during Memorial Day weekend. There are no limits on the number of items purchased during this new sales tax holiday. The products qualifying for the exemption are air conditioners (priced under \$6000), clothes washers, ceiling fans, dehumidifiers, dishwashers, incandescent or fluorescent light bulbs, programmable thermostats and refrigerators (priced under \$2000) that are designated as Energy Star products by the federal government.

***House Bill 3694—effective June 15, 2007***

Amended Section 151.429, dealing with the tax refunds for enterprise projects, to increase the number of designated projects allowed in a year from 85 to 105 and to allow for the carryover of any unused designations to following years. The amendment also expands the items subject to refund to include all taxable items purchased for use at a qualified business site related to the project. Other changes streamline the program and modify language to correspond to federal terminology.

***Senate Bill 12—effective June 8, 2007***

Amended Section 151.0515, dealing with the Texas Emissions Reduction Plan Surcharge, to change the expiration date of the section to August 31, 2013.

**2009 The 81st Legislature, Regular Session**

***House Bill 469—effective Sept. 1, 2009***

Amended Section 151.334 to exempt certain components of tangible personal property used in connection with sequestration of carbon dioxide. Components of tangible personal property used in connection with an advanced clean energy project that are installed to capture, transport, inject or prepare for transportation or injection of carbon dioxide from an anthropogenic emission source are exempted from sales and use tax if the carbon dioxide is sequestered in Texas as part of an enhanced oil recovery project under conditions that create a reasonable expectation that at least 99 percent of the carbon dioxide will remain sequestered from the atmosphere for at least 1,000 years.

***House Bill 693—effective June 19, 2009***

Amended Section 1951.003 of the Occupations Code, exempting the following activities from structural pest control services:

- use of a raptor to control or relocate other birds;
- physical removal of pests or their habitat while cleaning a chimney;
- use of a live trap to remove an animal from a residence, agricultural operation or business structure;
- mechanical removal of weeds or other vegetation from sewers, drainage systems, water bodies, etc.; or
- installation, maintenance or use of a non-pesticidal barrier to remove or prevent infestation by nuisance animals.

***House Bill 1801—effective July 1, 2009***

Amended Section 151.327 to add “school supplies,” as that term is defined in the Streamlined Sales and Use Tax Agreement, to the list of items qualifying for exemption from Texas state and local sales and use taxes during the annual sales tax holiday in August. Items must be priced at less than \$100 and purchased for use by a student in an elementary or secondary school.

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***House Bill 2730—effective Sept. 1, 2009***

Amended Section 1702.002 of the Occupations Code to specify electronic access gates do not qualify as alarm systems if they are not connected to a computer or data processor that records or archives the voice, visual image or identifying information of the user.

***House Bill 3144—effective Sept. 1, 2009***

Amended 151.316 to provide an exemption for tangible personal property incorporated into a structure that is used for the disposal of poultry carcasses in accordance with Section 26.303 of the Water Code.

The bill codified the existing exemption for aircraft used exclusively for crop dusting and expanded the exemption to cover not only the aircraft and parts, but also other equipment and machinery used exclusively in an agricultural aircraft operation, as defined by 14 C.F.R. Section 137.3.

The bill also codified the exemptions for tires and automobile repair parts used on motor vehicles and equipment used exclusively on a farm or ranch.

***Senate Bill 636—effective Sept. 1, 2009***

Added Section 151.0565 to provide that qualifying destination management companies will be considered consumers and not sellers of items provided to customers under certain qualifying “Destination Management Service” contracts. A qualifying destination management company is a corporation or LLC that receives at least 80 percent of its annual revenue from destination management services; is not a caterer or wedding planner; does not own entertainment venues; spends at least 1 percent of its gross receipts on marketing Texas destinations and recruits at least 80 percent of its clientele from outside of the state. A qualifying contract must contain at least three of the following services:

- transportation management;
- booking and managing entertainers;
- coordination of tours or recreational activities;
- meeting, conference or event registration;
- meeting, conference or event staffing;
- event management; or
- meal coordination.

***Senate Bill 958—effective Sept. 1, 2009***

Amended Section 151.328 relating to aircraft exemptions by adding Section (a)(5) to exempt from the sales tax the purchase of an aircraft exclusively for an agricultural use, as defined by Section 23.51 of the Property Tax Code, and used for:

- predator control;
- wildlife or livestock capture;
- wildlife or livestock surveys;
- census counts of wildlife or livestock;
- animal or plant health inspection services; or
- crop dusting, pollination or seeding.

***Senate Bill 1199—effective Sept. 1, 2009***

Amended Section 151.310 to specify that for purposes of obtaining a refund or claiming a credit for sales tax, a religious, educational or public service organization is not considered exempt from sales tax before the earlier of the date the organization applied for the exemption with the Comptroller or the date of assessment of the organization’s tax liability by the Comptroller as a result of an audit.

## APPENDIX C (continued)

### Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

The amendment also entitles a seller to a credit or reimbursement of sales tax equal to the amount of sales tax refunded to a purchaser when the purchaser receives a full or partial refund of the sales price of a returned taxable item.

***Senate Bill 1929—effective Sept. 1, 2009***

Added new chapter 485A to the Government Code and new Section 151.3415 to the Tax Code to provide for the creation of “media production development zones” and “qualified media production locations” in Texas, as well as sales tax exemptions for “qualified persons” who construct, maintain, expand, improve or renovate a “media production facility” at a qualified media production location. “Qualified persons” will be able to claim an exemption on the sale, lease or rental of a taxable item used: for the construction, maintenance, expansion, improvement or renovation of a media production facility at a qualified media production location; to equip a media production facility at a qualified media production location; or for the renovation of a building or facility at a qualified media production location that is to be used exclusively as a media production facility.

## **2011 The 82nd Legislature, Regular Session**

***House Bill 268—effective Sept. 1, 2011***

Added Section 151.1551 to require a person claiming an exemption from sales tax on the purchase of certain items used in the production of agricultural and timber products must obtain a registration number issued by the Comptroller. Beginning January 1, 2012, the registration number must be provided on an agricultural or timber production exemption certificate issued to a seller.

The bill also amended Section 151.316 to create a new exemption from sales and use tax for tangible personal property incorporated into or attached to a free-stall dairy barn or a dairy structure used solely for maternity purposes that is located on a commercial dairy farm and is used or employed exclusively for the production of milk. House Bill 2810 also enacted this exemption.

***House Bill 1841—effective June 17, 2011***

Added Section 151.108 to create a definition for internet hosting and to specify that a person whose only activity in this state is as a user of Internet hosting is not engaged in business in Texas.

***House Bill 2810—effective Sept. 1, 2011***

Amended Section 151.316 to create a new exemption from sales and use tax for tangible personal property incorporated into or attached to a free-stall dairy barn or a dairy structure used solely for maternity purposes that is located on a commercial dairy farm and is used or employed exclusively for the production of milk. House Bill 268 also enacted this exemption.

***House Bill 3182—effective Sept. 1, 2011***

Amended Section 151.308 to provide that oilfield portable units, as defined in Tax Code Chapter 152.001(20), are subject to sales and use tax rather than motor vehicle or hotel occupancy taxes.

An “oil field portable unit” is a bunkhouse, manufactured home, trailer or semi-trailer (other than a travel trailer) designed to be used for temporary lodging or as temporary office space that is used exclusively at any oil, gas, water disposal or injection well site to provide to well site employees, contractors or other workers sleeping accommodations or temporary work space, including office space, which does not require attachment to a foundation or to real property to be functional.

***Senate Bill 776—effective Sept. 1, 2011***

Amended Sections 151.157, 151.1575, and 151.158 to make numerous revisions to the requirements a Texas Licensed Customs Broker must follow when issuing proof of export documentation a purchaser can use to obtain a refund of Texas sales and use tax.

***Senate Bill 1927—effective June 17, 2011***

Amended Section 151.310 to authorize a volunteer firefighter organization that qualifies for a sales and use tax exemption under Tax Code Section 151.310(a)(4) to hold 10 tax-free sales or auctions during a calendar year, with each tax-free sale or auction limited to a duration of not more than 72 hours. The new subsection expires September 1, 2014.

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**Summary of Legislative Changes to the  
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**2011 The 82nd Legislature, First Called Session**

***Senate Bill 1, Article 3—effective Oct. 1, 2011***

Repealed Subchapter F of Tax Code Chapter 111. Texas property owners will no longer be eligible to receive refunds of state sales and use taxes and franchise taxes for paying local school property taxes on property located in reinvestment zones established under Tax Code Chapter 312. The repeal does not affect an eligible person's right to request a refund of taxes paid prior to Oct. 1, 2011, subject to the statute of limitations, for any calendar year in which the person paid ad valorem taxes to a school district.

***Senate Bill 1, Article 12—effective Oct. 1, 2011***

Amended Section 151.006 to clarify that the sale for resale exemption can be claimed on the purchase of taxable items (i.e., tangible personal property, taxable services) that will be resold as or with a taxable item.

The amendment also outlines the requirements that must be met in order to claim the resale exemption on items purchased to be used in the performance of contracts with the federal government and clarifies that a sale for resale does not include a sale of tangible personal property or a taxable service to a purchaser who acquires it for the purpose of performing a non-taxable service, regardless of whether title transfers to the purchaser's customer.

***Senate Bill 1, Article 13—effective Sept. 28, 2011***

Added the requirement that beginning August 2013, all taxpayers who file monthly sales tax reports and who pay the sales taxes due that month (for the July 2013 reporting period) to the Comptroller by electronic funds transfer (EFT) will be required to submit a one-time prepayment of tax.

The amount of the prepayment due will be equal to 25 percent of the amount of sales tax the taxpayer owes for the July reporting period, as reported on the report due Aug. 20, 2013. The taxpayer is required to remit the additional prepayment at the same time as the regular payment for the July sales tax report: on or before Aug. 20, 2013.

Taxpayers who submit the prepayment will receive credits for the prepaid taxes when they file the August report in September 2013. Taxpayers who normally prepay, as provided by Tax Code Section 151.424, are not affected by this provision.

*Notice: Senate Bill 559, 83rd Regular Legislative Session, 2013 repealed this requirement.*

***Senate Bill 1, Article 30—effective Jan. 1, 2012***

Amended Section 151.008(b) to provide that the terms "seller" and "retailer" include a person who, by agreement with an owner of tangible personal property, has been entrusted with possession of and authority to sell, lease or rent the property without additional action on the part of the owner.

The article also amends Section 151.107 to provide that a "retailer engaged in business in this state" includes a retailer who:

holds a substantial ownership in, or is owned in whole or substantial part by, a person who maintains a business location in this state if the retailer sells substantially the same product line and does so under substantially the same business name as the related retailer or if the facilities or employees of the related person in this state are used to advertise, promote, or facilitate sales by the retailer or are used to maintain a marketplace in this state for the retailer, exchanging returned merchandise; or

holds a substantial ownership in, or is owned in whole or substantial part by, a person that maintains a distribution center, warehouse or similar location in this state that delivers property sold by the retailer.

The new Section 151.107(d) provides that "ownership" includes direct ownership, common ownership and indirect ownership through a parent entity, subsidiary or affiliate; and defines "substantial" to mean a 50 percent ownership interest with the type of ownership (i.e., beneficial, combined voting power, etc.) determined by the type of entity.

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***Senate Bill 1, Article 33—effective Sept. 28, 2012***

Amended Section 151.326(a)(2), which specifies the time period for the annual sales tax holiday for clothing, footwear, school supplies, and backpacks.

**2013 The 83rd Legislature, Regular Session**

***House Bill 78—effective Oct. 1, 2013***

Amended Section 151.336 to provide an exemption for the sale of gold, silver, or numismatic coins or of platinum, gold, or silver bullion. Previously, a sale was exempt if the total sales price of all items sold equaled \$1,000 or more.

***House Bill 697—effective Sept. 1, 2013***

Amended Section 151.314(d) to make booster clubs and other school support organizations eligible for the sales tax exemption for food products, meals, soft drinks and candy, if served by their group during a regular school day pursuant to an agreement with the proper school authorities. The bill also exempted food products, meals, soft drinks and candy sold during a school-sponsored or sanctioned event at a concession stand operated by a booster club or other school support organization, if the proceeds benefit the school or school district.

***House Bill 800—effective Jan. 1, 2014***

Added Section 151.3182 to allow a sales and use tax exemption for the purchase, lease or rental of depreciable tangible personal property purchased by a person for direct use in qualified research, as defined in Internal Revenue Code (IRC) Section 41. The depreciable property must have a useful life exceeding one year and must be subject to depreciation either under generally accepted accounting principles (GAAP), or under IRC Section 167 or Section 168. Persons engaged in qualified research may claim a credit for franchise tax instead of the sales tax exemption.

***House Bill 1133—effective Sept. 1, 2013***

Added Section 151.3186 to allow providers of cable television service, Internet access service or telecommunications services (and their subsidiaries) to claim a refund for state sales and use taxes paid on the purchase, lease or rental of tangible personal property directly used or consumed in or during the distribution of cable television service; the provision of Internet access service; or the transmission, conveyance, routing or reception of telecommunications services. A refund may not be claimed for property used or consumed in providing data processing or information services.

This refund does not apply to sales and use taxes imposed by local jurisdictions. Providers, who claim this sales and use tax refund, are excluded from claiming special property tax benefits for economic development on that same tangible personal property under Chapter 313 of the Tax Code.

The legislation sets an annual cap of \$50 million as the total amount available for refund to all qualified claimants. Each eligible provider will receive a pro rata share of the annual \$50 million if the total of all qualifying refunds exceeds the cap.

***House Bill 1223—effective Sept. 1, 2013***

Added Section 151.359 to exempt certain items necessary and essential to the operation of a qualified data center from state sales and use tax. An owner, operator and/or occupant of a data center being specifically constructed or refurbished in Texas to be used by a single occupant to house servers and related equipment for processing, storage and distribution of data may apply to the Comptroller for certification as a qualifying data center.

Owners, occupants and operators of certified data centers will be eligible to claim an exemption on qualified purchases made for 10-15 years following the date of certification, depending on the amount of capital investment made in the center by the owner, operator or occupant, whether individually or jointly.

The exemption does not apply to sales and use taxes imposed by local jurisdictions. Data centers with agreements to limit the appraised value of property for property tax under Tax Code Chapter 313 do not qualify for this exemption.

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***House Bill 1712—effective June 14, 2013***

Added Section 151.356 to provide a sales and use tax exemption for tangible personal property that is exclusively intended to be used, or used in an offshore spill response containment system. The bill also exempts services performed on qualifying property from sales and use tax. The spill response containment system must be owned or leased by an entity formed primarily for the purpose of designing, developing, modifying, enhancing, assembling, operating, deploying and maintaining an offshore spill response containment system.

***House Bill 3169—effective Sept. 1, 2013***

Amended Section 151.0565 to redefine “destination management services” to mean certain services regardless of whether such services are provided under a qualified destination management services contract.

The bill amended Section 151.313 to define “intravenous system” and “hospital bed” and to specify the systems, beds and components of each that qualify for exemption.

The bill amended the definition of “newspaper” under Section 151.319 to increase the average daily sales price of a newspaper that qualifies for exemption from \$1.50 to \$3.00.

***Senate Bill 485—effective June 14, 2013***

Amended Section 151.326 and 151.327 to adopt a new method for determining the dates of the annual Sales Tax Holiday for clothing, footwear, backpacks and school supplies. The date is now set by: determining the first day a Texas school district may begin classes; counting back 15 days from the first day of school; and identifying the Friday before the 15 days preceding the first day of school.

***Senate Bill 1151—effective Sept. 1, 2013***

Amended Section 151.314 to exempt snack items from sales tax, unless they are sold through a vending machine or in individual-sized portions. Snack items sold through a vending machine or in individual-sized portions are taxable. Snack items are defined to include:

- breakfast bars, granola bars, nutrition bars, protein bars, sports bars or yogurt bars, unless they are labeled and marketed as candy;
- snack mix and trail mix;
- nuts, unless candy-coated;
- popcorn; and
- chips, crackers or hard pretzels.

An individual-sized portion is defined as being labeled as having not more than one serving; or, if the package does not specify servings, contains less than 2.5 ounces.

***Senate Bill 1286—effective Sept. 1, 2013***

Changes references from “staff leasing services” to “professional employment services” in Chapters 151 and 171 of the Tax Code.

**2015 The 84th Legislature, Regular Session**

***House Bill 7—effective Sept. 1, 2015***

Amended Section 151.0515 to reduce the Texas Emissions Reduction Plan Surcharge imposed on the sale, lease or rental of off-road, heavy-duty diesel equipment from 2 percent to 1.5 percent.

***House Bill 157—effective Sept. 1, 2015***

Amended provisions of Local Government Code Chapters 334, 363, 504 and 505, and provisions of Tax Code Chapters 321 and 327 to allow municipalities to set their sales and use tax rate at any rate that is an increment of one-eighth of 1 percent as long as the rate would not exceed the maximum 2 percent combined local tax rate provided by Tax Code Section 321.101(f). The adoption and changes in rates of municipal sales and use taxes must be approved by voters.



APPENDIX C (continued)

## Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

The amendments apply to the municipal sales and use tax and to city sales and use taxes imposed for street maintenance, venue projects, property tax relief, economic development and crime control and prevention.

***House Bill 1841—effective Oct. 1, 2015***

Amended Section 151.0039 to exclude services performed on behalf of an insured by a person licensed under Insurance Code Chapter 4102 (public insurance adjusters) from the definition of insurance services. As a result, insurance services provided by a public insurance adjuster are not subject to sales and use tax.

***House Bill 1905—effective Sept. 1, 2015***

Amended the definition of “snack items” in Section 151.314 to mean:

breakfast bars, granola bars, nutrition bars, sports bars, protein bars or yogurt bars, unless labeled and marketed as candy;

snack mix or trail mix;

nuts, but not including pine nuts or candy-coated nuts;

popcorn;

chips, crackers, hard pretzels, pork rinds, or corn nuts;

sunflower seeds or pumpkin seeds;

ice cream, sherbet, or frozen yogurt; and

ice pops, juice pops, sorbet, or other frozen fruit items containing not more than 50 percent fruit juice by volume.

Snack items sold in portions labeled as having not more than one serving or containing less than 2.5 ounces are taxable.

Food products served, prepared or sold for immediate consumption by a restaurant, lunch counter, cafeteria, deli or similar types of businesses are taxable. The bill provides that a grocery store or convenience store containing one of these types of locations will be considered such a place of business only in regard to sales made from that location within the store.

***House Bill 2313—effective Sept. 1, 2015***

Added Section 151.3051 exempting the sale of tangible personal property through a vending machine if:

the sale is made by a nonprofit organization under Section 501(c)(3) Internal Revenue Code of 1986;

the machine is owned by the nonprofit organization; and

the machine is stocked and maintained by individuals with special needs as part of an independent life skills and education program operated by the nonprofit organization.

***House Bill 2358—effective June 16, 2015***

Added Tax Code Section 151.0241 and Business & Commerce Code Chapter 112 exempting an out-of-state business entity that enters Texas at the request of an in-state business entity under a mutual assistance agreement, or that is an affiliate of an in-state business entity, from Texas licensing and registration requirements when its business in Texas is limited to performing disaster- or emergency-related work during a disaster response period. The out-of-state entity will not be required to collect and remit Texas sales and use tax on its sales of taxable items in Texas nor on its purchases of taxable items that are sold or transferred to its customers during a disaster response period.

An out-of-state entity will not be considered engaged in business in Texas if the entity’s physical presence in Texas is solely for performing disaster- or emergency-related work during a disaster response period. The out-of-state business entity is not required to register with the Secretary of State or to file a tax report with or pay taxes or fees to Texas or a political subdivision of Texas when its business in Texas is limited to performing disaster- or emergency-related work during a disaster response period.

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The out-of-state entity will not owe use tax on equipment brought into Texas used only by the entity to perform disaster- or emergency-related work during the disaster response period, and removed from Texas by the entity following the disaster response period. The out-of-state entity will owe sales tax on its purchases of taxable items for its own use.

The bill does not provide an exemption for taxable items sold by the out-of-state business described by the bill. Purchasers are still responsible for use tax on any taxable items purchased from such an out-of-state business entity.

***House Bill 2507—effective Sept. 1, 2015***

Amended Section 151.3185 to exempt tangible personal property sold to licensed digital audio broadcasting stations, if the property is necessary to provide digital audio broadcast service.

***House Bill 2712—effective June 10, 2015***

Amended Section 151.317 and added Section 151.3595 to exempt certain items necessary for operating a qualifying large data center project from state and local sales and use tax.

An owner, operator or occupant of a data center comprising at least 250,000 square feet in one or more buildings, located on a single or contiguous parcels of land, that is being specifically constructed or refurbished in Texas to be used by a single occupant to house servers and related equipment for processing, storing and distributing data can apply to the Comptroller for certification as a qualifying large data center project.

For certification, a qualifying owner, operator or occupant (independently or jointly) must agree to:

- make a capital investment of \$500 million or more over a five-year period from the date of certification;
- create at least 40 permanent, full-time qualifying jobs in the county where the data center is located that are unrelated to moving jobs from another Texas county; and
- contract for at least 20 megawatts of transmission capacity for operating the large data center project.

A “qualifying job” must pay at least 120 percent of the county average weekly wage in the county where the job is based.

Owners, occupants and operators of certified data centers can claim an exemption on qualified purchases made for 20 years following the date of certification. A large data center’s certification can be revoked if the owner, operator or occupant (individually or jointly) fails to make the amount of capital investment or create the number of jobs required within the initial five-year time frame. If the certification is revoked, tax will be due on tax-free purchases made before the revocation.

Data centers with agreements to limit the appraised value of property for property tax under Tax Code Chapter 313 do not qualify for this exemption.

***Senate Bill 31—effective May 28, 2015***

Added Section 151.310(c-1) to allow volunteer firefighter departments and volunteer firefighter departments providing emergency services that qualify for a sales tax exemption under Tax Code Section 151.310(a)(4) to hold 10 tax-free sales or auctions during a calendar year. If two or more exempt organizations jointly hold an auction or sale, it will count toward the 10 tax-free sales or auctions allowed for each organization.

Each tax-free sale or auction cannot last more than 72 hours.

***Senate Bill 100—effective Sept. 1, 2015***

Amended Section 151.429 to remove the cap placed on capital investments for qualified enterprise projects. An enterprise project can qualify for a tax refund based on their capital investment. The bill removes the cap of \$149,999,999 placed on capital investment that results in a refund of \$2,500 per job.

Enterprise projects that have capital investments of \$150,000,000 or more will receive refunds for new permanent jobs. The refund per job has been changed to capture only new permanent jobs.



## APPENDIX C (continued)

### Summary of Legislative Changes to the Texas Sales and Use Tax Rate and Base

The bill added the definition of a half enterprise project and provides that the maximum sales tax refund a half enterprise project may receive is \$125,000.

***Senate Bill 140—effective Sept. 1, 2015***

Amended Sections 151.1551 and 151.316 to provide a sales and use tax exemption for telecommunications services exclusively provided or used for navigating machinery and equipment exclusively used on a farm or ranch for the following purposes:

- building or maintaining roads;
- building or maintaining water facilities; or
- producing agricultural products to be sold in the regular course of business.

Purchasers must provide sellers a Texas Agricultural Sales and Use Tax Exemption Certificate, including an Agricultural and Timber Registration Number and expiration date, to claim the exemption.

***Senate Bill 755—effective June 10, 2015***

Added Section 151.006(d) to expand the definition of “sale for resale” to include a sale of a computer program to a provider of Internet hosting services who sells a license to use the program to an unrelated user of Internet hosting services, provided that the reseller does not retain a right to use the program under that license. A sale for resale is exempt from sales and use tax.

***Senate Bill 853—effective June 1, 2015***

Added Section 151.202(c) to provide an electronically filed sales tax permit application complies with the signature requirement under Tax Code Section 151.202(b).

***Senate Bill 904—effective Sept. 1, 2015***

Added Section 151.3565 to provide a temporary sales and use tax exemption for certain emergency preparation items sold during a three-day period beginning on the Saturday before the last Monday in April and ending on the last Monday in April.

Items that qualify for the exemption include certain portable generators, hurricane shutters, ladders, portable self-powered light sources, fuel containers, radios, batteries, smoke detectors, fire extinguishers and first aid kits.

***Senate Bill 1356—effective Oct. 1, 2015***

Added Section 151.3335 to provide a temporary sales and use tax exemption for certain water-conserving products and for products with a “WaterSense” label from the U.S. Environmental Protection Agency.

The items are exempt when sold during a three-day period beginning on the Saturday before the last Monday in May (Memorial Day) and ending on Memorial Day.

***Senate Bill 1396—effective Sept. 1, 2015***

Added Tax Code Chapter 163, Sales and Use Taxation of Aircraft. It defines “certificated or licensed carriers” as carriers authorized under Parts 121, 125, 133, and 135 of the Federal Aviation Regulations. The bill provides that the exemption for aircraft under Tax Code Section 151.328(a)(1) applies regardless of whether the aircraft is acquired by purchase, lease or rental.

The bill also provides a unique “sale for resale” definition for purchases of aircraft. A sale for resale includes a sale to a purchaser for the purpose of leasing, renting or reselling the aircraft to another person. The sale for resale does not have to be for the sole purpose of leasing or renting, provided that more than 50 percent of the departures are under the operational control of a lessee.

Operational control is defined by Federal Aviation Regulations. The consideration for a lease or rental does not have to be in the form of cash payments, and can be fixed, variable or periodic.

Liability for tax on divergent use does not apply to aircraft purchased under the sale for resale exemption.

APPENDIX C (concluded)  
**Summary of Legislative Changes to the  
Texas Sales and Use Tax Rate and Base**

Use tax does not apply to aircraft brought into Texas for the sole purpose of being completed, repaired, remodeled or restored. There is also no presumption of taxable use when an aircraft is brought into Texas, if the aircraft was not purchased directly from a seller.

The bill provides that tax is not due on certain aircraft after out-of-state use. Specifically, the bill exempts from use tax any aircraft purchased outside of the state that is predominantly used outside of Texas for more than a year before being brought into Texas. An aircraft is predominantly used outside of Texas if more than half of its departures are from locations outside of Texas.

For transactions involving aircraft, transactions between related persons are taxable or not taxable to the same extent as transactions between unrelated persons. When a person pays tax on the purchase of an aircraft, use by a related entity is not also subject to tax. Use by a related entity of a purchaser is not taxable, if tax was paid by the purchaser or, if subject to certain exceptions, the purchase was exempt.

The use of an aircraft by a fractional owner of the aircraft is not a taxable transaction.

APPENDIX D-1  
**State Tax Comparisons for 2015**  
**Ranked by Per Capita Tax Collections**

Rank	State	State Tax Collections (in millions)	Per Capita State Tax Collections
1	North Dakota	\$ 5,740	\$ 7,583
2	Vermont	3,043	4,861
3	Hawaii	6,486	4,530
4	Connecticut	16,232	4,520
5	Minnesota	24,439	4,452
6	Wyoming	2,356	4,020
7	Massachusetts	27,012	3,976
8	New York	78,243	3,952
9	California	151,173	3,862
10	Delaware	3,514	3,715
11	New Jersey	31,568	3,524
12	Maryland	19,850	3,305
13	Arkansas	9,190	3,086
14	Maine	4,064	3,057
15	Illinois	39,283	3,055
16	Rhode Island	3,197	3,026
17	West Virginia	5,566	3,018
18	Wisconsin	17,019	2,949
19	Iowa	9,189	2,942
20	New Mexico	6,009	2,882
21	Washington	20,644	2,879
22	Pennsylvania	36,110	2,821
23	Montana	2,843	2,753
24	Michigan	26,957	2,717
25	Kansas	7,884	2,708
26	Nebraska	5,087	2,683
27	Mississippi	7,907	2,642
28	Indiana	17,400	2,628
29	Oregon	10,575	2,625
30	Kentucky	11,598	2,621
31	Nevada	7,533	2,606
32	North Carolina	25,062	2,495
33	Virginia	20,537	2,450
34	Ohio	28,297	2,437
35	Oklahoma	9,407	2,405
36	Idaho	3,975	2,402
37	Colorado	12,811	2,348
38	Utah	6,703	2,237
39	Louisiana	9,719	2,081
40	Arizona	14,082	2,062
41	Alabama	9,755	2,008
42	<b>Texas</b>	<b>55,086</b>	<b>2,005</b>
43	South Carolina	9,633	1,967
44	Missouri	11,956	1,965
45	South Dakota	1,674	1,950
46	Georgia	19,724	1,931
47	Tennessee	12,698	1,924
48	New Hampshire	2,488	1,870
49	Florida	37,218	1,836
50	Alaska	864	1,170
<b>All State, Total</b>		<b>\$ 909,401</b>	<b>n.a.</b>
<b>All State, Mean</b>		<b>\$ 18,188</b>	<b>\$ 2,911</b>
<b>All State, Median</b>		<b>\$ 10,165</b>	<b>\$ 2,695</b>

Note: The Per Capita measure uses 2015 population estimated from the Census.  
Source: Federation of Tax Administrators; Glenn Hegar, Texas Comptroller

## APPENDIX D-2

### State Tax Rate Comparisons as of September 2016

State	Sales and Use Rate	Sales and Use Rank	Motor Vehicle Sales/Excise Rate	Motor Vehicle Sales/Excise Rank	Cigarette (\$ per pack of 20) Rate	Cigarette (\$ per pack of 20) Rank	Other Tobacco Products Rate / Base
Alabama	4.00	40	2.00	45	0.675	39	3.0¢-40.5¢/10 cigars; 2¢-8¢/ounce tobacco/snuff
Alaska	0.00	46	0.00	46	2.00	12	75% wholesale price
Arizona	5.60	27	6.60	8	2.00	12	22.01¢-\$2.18/10 cigars; 22.3¢/ounce tobacco/snuff
Arkansas	6.50	9	6.50	9	1.15	32	68% manufacturer's price
California	7.50	1	7.50	1	0.87	35	28.13% wholesale price
Colorado	2.90	45	2.90	44	0.84	37	40% manufacturer's price
Connecticut	6.35	12	6.35	13	3.90	2	50% wholesale price
Delaware	0.00	46	0.00	46	1.60	23	15% wholesale price
Florida	6.00	16	6.00	17	1.339	28	85% wholesale price tobacco/snuff
Georgia	4.00	40	6.50	9	0.37	48	2.5¢/10 little cigars; 23% wholesale price other cigars; 10% wholesale price tobacco
Hawaii	4.00	40	4.00	35	3.20	5	50% wholesale price large cigars 70% wholesale price tobacco/snuff
Idaho	6.00	16	6.00	17	0.57	44	40% wholesale price
Illinois	6.25	13	6.25	14	1.98	17	36% wholesale price
Indiana	7.00	2	7.00	2	0.995	34	24% wholesale price
Iowa	6.00	16	6.00	17	1.36	27	50% wholesale price
Kansas	6.50	9	6.50	9	1.29	30	10% wholesale price
Kentucky	6.00	16	6.00	17	0.60	42	15% wholesale price
Louisiana	5.00	32	4.00	35	0.86	36	8%-20% manufacturer's price cigars 20%-33% manufacturer's price snuff/smoking tobacco
Maine	5.50	28	5.50	26	2.00	12	\$2.02/ounce chewing tobacco/snuff 20% wholesale price smoking tobacco/cigars
Maryland	6.00	16	6.00	17	2.00	12	30% wholesale price tobacco/snuff 70% wholesale price cigars
Massachusetts	6.25	13	6.25	14	3.51	4	40% wholesale price
Michigan	6.00	16	6.00	17	2.00	12	32% wholesale price
Minnesota	6.875	7	6.50	9	3.00	8	95% wholesale price
Mississippi	7.00	2	5.00	28	0.68	38	15% manufacturer's price
Missouri	4.225	39	4.00	35	0.17	50	10% manufacturer's price
Montana	0.00	46	0.00	46	1.70	20	50% wholesale price
Nebraska	5.50	28	5.50	26	0.64	40	20% wholesale price
Nevada	6.85	8	6.85	6	1.80	18	30% wholesale price
New Hampshire	0.00	46	0.00	46	1.78	19	48% wholesale price
New Jersey	7.00	2	7.00	2	2.70	9	30% wholesale price
New Mexico	5.125	31	3.00	42	1.66	22	25% product value
New York	4.00	40	4.00	35	4.35	1	75% wholesale price
North Carolina	4.75	35	3.00	42	0.45	46	12.8% wholesale price
North Dakota	5.00	32	5.00	28	0.44	47	28% wholesale price cigars/tobacco 16¢-60¢/ounce chew tobacco/snuff
Ohio	5.75	26	5.75	25	1.60	23	17% wholesale price
Oklahoma	4.50	37	3.25	41	1.03	33	\$1.20/10 cigars; 60-80% factory list price snuff/tobacco
Oregon	0.00	46	0.00	46	1.32	29	65% wholesale price
Pennsylvania	6.00	16	6.00	17	2.60	10	80¢/10 little cigars
Rhode Island	7.00	2	7.00	2	3.75	3	80% wholesale price
South Carolina	6.00	16	5.00	28	0.57	44	5% manufacturer's price
South Dakota	4.50	37	4.00	35	1.53	25	35% wholesale price
Tennessee	7.00	2	7.00	2	0.62	41	6.6% wholesale price
<b>TEXAS</b>	<b>6.25</b>	<b>13</b>	<b>6.25</b>	<b>14</b>	<b>1.41</b>	<b>26</b>	<b>1.0¢-15.0¢/10 cigars; \$1.22/ounce tobacco/snuff</b>
Utah	4.70	36	4.70	33	1.70	20	86% manufacturer's price
Vermont	6.00	16	6.00	17	3.08	6	92% wholesale price; \$20-\$40/10 cigars \$2.57/ounce tobacco/snuff
Virginia	5.30	29	4.15	34	0.30	49	10% manufacturer's price
Washington	6.50	9	6.80	7	3.025	7	95% wholesale price
West Virginia	6.00	16	5.00	28	1.20	31	7% wholesale price
Wisconsin	5.00	32	5.00	28	2.52	11	71% manufacturer's price
Wyoming	4.00	40	4.00	35	0.60	42	20% wholesale price
<b>National Average</b>	<b>5.08</b>		<b>4.87</b>		<b>1.63</b>		<b>n/a</b>

Sources: CCH, Inc.; taxadmin.org.; taxfoundation.org

\*\*Control states, where the government controls all sales. Products can be subject to ad valorem mark up and excise taxes.

## APPENDIX D-2 (concluded)

### State Tax Rate Comparisons as of September 2016

State	Gasoline (cents per gallon) Rate	Gasoline (cents per gallon) Rank	Diesel Fuel (cents per gallon) Rate	Diesel Fuel (cents per gallon) Rank	Beer Excise Tax (dollars per gallon) Rate	Beer Excise Tax (dollars per gallon) Rank	Wine Excise Tax (dollars per gallon) Rate	Wine Excise Tax (dollars per gallon) Rank	Spirits Excise Tax Rates (dollars per gallon) Rate	Spirits Excise Tax Rates (dollars per gallon) Rank
Alabama	20.00	37	19.00	40	0.53	6	1.70	4	**	-
Alaska	8.95	50	8.95	50	1.07	2	2.50	1	12.80	2
Arizona	19.00	39	27.00	25	0.16	31	0.84	21	3.00	22
Arkansas	21.80	33	22.80	33	0.23	23	0.75	22	2.50	25
California	35.00	3	35.50	4	0.20	24	0.20	45	3.30	20
Colorado	22.00	32	20.50	36	0.08	44	0.28	42	2.28	31
Connecticut	25.00	24	50.30	2	0.24	21	0.72	23	5.40	10
Delaware	23.00	30	22.00	35	0.16	31	0.97	15	3.75	17
Florida	28.40	17	31.70	13	0.48	7	2.25	2	6.50	4
Georgia	26.00	21	29.00	18	0.32	13	1.51	6	3.79	16
Hawaii	17.00	45	17.00	45	0.93	3	1.38	10	5.98	7
Idaho	33.00	7	33.00	10	0.15	35	0.45	34	**	-
Illinois	20.10	36	22.60	34	0.231	22	1.39	9	8.55	3
Indiana	18.00	43	16.00	47	0.115	40	0.47	33	2.68	24
Iowa	31.80	10	33.50	7	0.19	27	1.75	3	**	-
Kansas	25.03	23	27.03	24	0.18	28	0.30	39	2.50	25
Kentucky	26.00	21	23.00	30	0.08	44	0.50	31	1.92	33
Louisiana	20.125	35	20.125	38	0.32	13	0.11	46	2.50	25
Maine	30.00	12	31.20	14	0.35	12	0.60	27	**	-
Maryland	32.60	9	33.35	8	0.09	43	0.40	36	1.50	34
Massachusetts	24.00	26	24.00	26	0.11	41	0.55	28	4.05	14
Michigan	19.00	39	15.00	48	0.20	24	0.51	30	**	-
Minnesota	28.60	16	28.60	19	0.15	35	0.30	39	5.03	12
Mississippi	18.40	42	18.40	41	0.427	8	0.35	37	2.50	25
Missouri	17.30	44	17.30	44	0.06	48	0.42	35	2.00	32
Montana	27.00	20	27.75	21	0.14	37	1.06	12	**	-
Nebraska	27.70	19	27.10	23	0.31	15	0.95	16	3.75	17
Nevada	23.805	29	27.75	21	0.16	31	0.70	25	3.60	19
New Hampshire	23.825	28	23.825	28	0.30	16	**	-	**	-
New Jersey	14.50	49	17.50	43	0.12	39	0.875	19	5.50	9
New Mexico	18.875	41	22.88	32	0.41	9	1.70	4	6.06	6
New York	25.00	24	23.25	29	0.14	37	0.30	39	6.44	5
North Carolina	34.25	4	34.25	5	0.617	5	1.00	13	**	-
North Dakota	23.00	30	23.00	30	0.16	31	0.50	31	2.50	25
Ohio	28.00	18	28.00	20	0.18	28	0.32	38	**	-
Oklahoma	17.00	45	14.00	49	0.40	11	0.72	23	5.56	8
Oregon	30.00	12	30.00	15	0.08	44	0.67	26	**	-
Pennsylvania	50.30	1	64.00	1	0.08	44	**	-	**	-
Rhode Island	34.00	5	34.00	6	0.10	42	1.40	8	5.40	10
South Carolina	16.75	47	16.75	46	0.77	4	0.90	18	2.72	23
South Dakota	30.00	12	30.00	15	0.27	17	0.93	17	3.93	15
Tennessee	21.40	34	18.40	41	1.29	1	1.21	11	4.40	13
<b>TEXAS</b>	<b>20.00</b>	<b>37</b>	<b>20.00</b>	<b>39</b>	<b>0.20</b>	<b>24</b>	<b>0.204</b>	<b>44</b>	<b>2.40</b>	<b>30</b>
Utah	29.40	15	29.40	17	0.41	9	**	-	**	-
Vermont	30.46	11	32.00	12	0.265	18	0.55	28	**	-
Virginia	16.20	48	20.20	37	0.26	19	1.51	6	**	-
Washington	49.40	2	49.40	3	0.26	19	0.87	20	14.27	1
West Virginia	33.20	6	33.20	9	0.18	28	1.00	13	**	-
Wisconsin	32.90	8	32.90	11	0.06	48	0.25	43	3.25	21
Wyoming	24.00	26	24.00	26	0.02	50	**	-	**	-
<b>National Average</b>	<b>25.42</b>		<b>26.61</b>		<b>0.28</b>		<b>0.84</b>		<b>4.48</b>	

Sources: CCH, Inc.; taxadmin.org.; taxfoundation.org

\*\*Control states, where the government controls all sales. Products can be subject to ad valorem mark up and excise taxes.

### APPENDIX D-3

## State Corporate Business Tax Comparisons as of January 2016

State	Rate	Comment	Mandatory Combined Reporting	Apportionment
<b>Alabama</b>	6.500%	Gross sales option available only to taxpayers that do not own any property within the state.	No	Three-factor formula with double-weighted sales factor.
<b>Alaska</b>	\$0-\$24,999: 0% \$25,000-\$48,999: 2% \$49,000-\$73,999: \$480 plus 3% \$74,000-\$98,999: \$1,230 plus 4% \$99,000-\$123,999: \$2,230 plus 5% \$124,000-\$147,999: \$3,480 plus 6% \$148,000-\$172,999: \$4,920 plus 7% \$173,000-\$197,999: \$6,670 plus 8% \$198,000-\$221,999: \$8,670 plus 9% \$222,000 or more: \$10,830 plus 9.4%.	4.5% on capital gains. 4.95% accumulated earnings tax imposed on first \$100,000 of earnings and 6.93% of the excess. 12.6% personal holding company tax on apportioned income.	Yes	Evenly weighted three-factor formula.
<b>Arizona</b>	5.500%	\$50 minimum tax. 4.9% for tax years after 2016.	Yes	Three-factor formula with double-weighted sales factor or enhanced sales factor formula 95-2.5-2.5 (sales, property, payroll).
<b>Arkansas</b>	\$0 - 3,000: 1% \$3,001 - 6,000: 2% \$6,001 - 11,000: 3% \$11,001 - 25,000: 5% \$25,001 - 100,000: 6% over \$100,000: 6.5%		No	Three-factor formula with double-weighted sales factor.
<b>California</b>	8.800%	\$800 minimum tax. 10.84% rate on banks and financial corporations.	Yes	One-factor sales formula.
<b>Colorado</b>	4.600% or taxpayers with \$100,000 or less of gross sales within the state may pay 0.5% on such sales.	Gross sales option available only to taxpayers that perform no activities in Colorado other than making sales and that do not own or rent any property within the state.	Yes	One-factor sales formula.
<b>Connecticut</b>	Greater of: 7.5% of net income; 3.1 mills per dollar of capital holding; \$250 minimum tax 20% surcharge imposed for 2012 to 2018 tax years if gross income is \$100 million or more and tax liability exceeds minimum tax	\$500,000 maximum additional preference tax on corporations filing combined returns effective for income years commencing before January 1, 2016. Financial service companies pay a tax equal to greater of: 7.5% of net income or \$250.00. Effective for income tax years beginning on or after January 1, 2018, and before January 1, 2019, the surcharge is reduced from 20% to 10%. The \$100 million gross revenue exception does not apply to mandatory combined reporting groups effective for income years commencing on or after January 1, 2016.	Yes	One-factor gross receipts formula.
<b>Delaware</b>	8.700%	Headquarters management corporations: 8.7% or \$5,000 minimum tax, whichever is greater. Banking organizations: \$0-\$20,000,000: 8.7% ; \$20,000,001-\$25,000,000: 6.7% ; \$25,000,001-\$30,000,000: 4.7% ; \$30,000,001-\$650,000,000: 2.7% ; \$650,000,001 or more: 1.7%. Banks and trust companies may elect to pay an alternative bank franchise tax.	No	Evenly weighted three-factor formula.
<b>Florida</b>	Greater of 5.5% or alternative minimum tax minus \$50,000 exemption		No	Three-factor formula with double-weighted sales factor.
<b>Georgia</b>	6.000%		No	One-factor sales formula.

APPENDIX D-3 (continued)  
**State Corporate Business Tax Comparisons as of January 2016**

State	Rate	Comment	Mandatory Combined Reporting	Apportionment
<b>Hawaii</b>	\$0 - 25,000: 4.4% \$25,001 - 100,000: 5.4% less \$250 \$100,001 or more: 6.4% less \$1,250; or  Taxpayers with \$100,000 or less of gross sales within the state may pay 0.5% on such sales.  Alternative tax on capital gains is imposed at rate of 4%.	Gross sales option available only to taxpayers that have no business activity in the state other than sales and do not own or rent any property within the state.  7.92% rate on financial institutions.	Yes	Evenly weighted three-factor formula.
<b>Idaho</b>	7.4% plus \$10; or taxpayers with \$100,000 or less of gross sales within the state may pay 1% on such sales	\$20 minimum tax. Gross sales option available only to taxpayers that do not own any property within the state.	Yes	Three-factor formula with double-weighted sales factor.
<b>Illinois</b>	5.25% plus 2.5% personal property replacement tax	4.8%, plus 2.5% personal property replacement tax, for tax years after 2024. Surcharge is imposed on income arising from the sale or exchange of capital assets, depreciable business property, real property used in the trade or business, and Section 197 intangibles of any registrant organization under the Compassionate Use of Medical Cannabis Pilot Program. Amount of surcharge is equal to amount of federal income tax liability attributable to nonexempt transactions subject to the surcharge.	Yes	One-factor sales formula.
<b>Indiana</b>	6.25%	6.0% after June 30, 2017 and before July 1, 2018. 5.75% after June 30, 2018 and before July 1, 2019. 5.5% after June 30, 2019 and before July 1, 2020. 5.25% after June 30, 2020 and before July 1, 2021. 4.9% after June 30, 2021.  5% on adjusted gross income derived from sources within an area that contains an inactive or closed military base.  Financial Institutions Tax: 7.0% after December 31, 2015 and before January 1, 2017. 6.5% after December 31, 2016 and before January 1, 2019. 6.25% after December 31, 2018 and before January 1, 2020. 6.0% after December 31, 2019 and before January 1, 2021. 5.5% after December 31, 2020 and before January 1, 2022. 5.0% after December 31, 2021 and before January 1, 2023. 4.9% after December 31, 2022.	No	One-factor sales formula.
<b>Iowa</b>	\$0 - 25,000: 6% \$25,001 - 100,000: 8% minus \$500 \$100,001 - 250,000: 10% minus \$2,500 \$250,001 or more: 12% minus \$7,500	5% franchise tax on financial institutions.	No	One-factor sales formula.
<b>Kansas</b>	4% plus 3% surtax on taxable income over \$50,000	2.25% privilege tax on net income of financial institutions, plus a surtax (2.125% for banks and 2.25% for trust companies and savings and loan associations) for net income in excess of \$25,000.	Yes	Evenly weighted three-factor formula.

APPENDIX D-3 (continued)  
**State Corporate Business Tax Comparisons as of January 2016**

State	Rate	Comment	Mandatory Combined Reporting	Apportionment
<b>Kentucky</b>	\$0 - 50,000: 4% \$50,001 - 100,000: 5% \$100,001 or more: 6%	Every corporation with over \$3 million in gross receipts or gross profits must pay the greater of \$175 or an annual limited liability entity tax (LLET) equal to lesser of: 9.5 cents per \$100 of Kentucky gross receipts; or 75 cents per \$100 of Kentucky gross profits.  If gross receipts or gross profits are over \$3 million but less than \$6 million, gross receipts may be reduced by \$2,850 or gross profits by \$22,500 multiplied by a numerator of \$6 million less the amount of gross receipts or gross profits for the taxable year, and a denominator of \$3 million.	No	Three-factor formula with double-weighted sales factor.
<b>Louisiana</b>	\$0 - 25,000: 4% \$25,001 - 50,000: 5% \$50,001 - 100,000: 6% \$100,001 - 200,000: 7% \$200,001 or more: 8%	For tax years beginning after 2016, a flat rate of 6.5% will apply if a proposed amendment to the state constitution to eliminate the deductibility of federal income taxes paid is adopted at a statewide election and becomes effective.	No	One-factor sales formula.
<b>Maine</b>	\$0 - 25,000: 3.5% \$25,001 - 75,000: \$875 + 7.93% \$75,001 - 250,000: \$4,840 + 8.33% \$250,001 or more: \$19,418 + 8.93%	Financial institutions franchise tax:  1% of net income, plus 8¢ per \$1,000 of assets attributable to state sources; or 39¢ per \$1,000 of assets attributable to state sources.	Yes	One-factor sales formula.
<b>Maryland</b>	8.25%		No	Three-factor formula with double-weighted sales factor.
<b>Massachusetts</b>	Greater of: \$2.60 per \$1,000 on taxable tangible property or net worth plus 8% on income attributable to state sources; or \$456 fixed dollar minimum tax		Yes	Three-factor formula with double-weighted sales factor.
<b>Michigan</b>	Corporate income tax imposed at rate of 6%. Michigan Business Tax (MBT) imposed at rate of 4.95% and modified gross receipts tax imposed at rate of 0.8% on receipts of \$350,000 or more.	MBT repealed Jan. 1, 2012, except for those taxpayers with certificated credits that elect to pay the MBT.  21.99% surcharge for MBT based on liability before credits.	Yes	One-factor sales formula for purposes of computing corporate income tax. One-factor sales formula for purposes of computing Michigan Business Tax (MBT).
<b>Minnesota</b>	9.8%, plus minimum tax ranging from \$0 to \$9,690 based on property, payroll, and sales or receipts attributable to state sources		Yes	One-factor sales formula.
<b>Mississippi</b>	\$0 - 5,000: 3% \$5,001 - 10,000: 4% \$10,001 or more: 5%	The tax on the first \$5,000 of income is being phased out by exempting \$1,000 in 2018 and increasing that amount by \$1,000 per year until 2022.  The 3% rate will be: \$1,000-\$5,000 in 2018; \$2,000-\$5,000 in 2019; \$3,000-\$5,000 in 2020; \$4,000-\$5,000 in 2021; no tax on income under \$5,000 in 2022 and thereafter.	No	No general apportionment formula. One-factor sales formula for taxpayers that are not required to use a designated apportionment formula based on specific type or line of in-state business activity.
<b>Missouri</b>	6.25%		No	Evenly weighted three-factor formula or optional one-factor sales formula for corporations other than certain public utilities and transportation companies.
<b>Montana</b>	6.75% or taxpayers with \$100,000 or less of gross sales within the state may pay 0.5% on such sales  7% for water's edge filers	\$50 minimum tax. Gross sales option available only to taxpayers that do not own any property within the state.	Yes	Evenly weighted three-factor formula.



APPENDIX D-3 (continued)  
**State Corporate Business Tax Comparisons as of January 2016**

State	Rate	Comment	Mandatory Combined Reporting	Apportionment
<b>Nebraska</b>	\$0 - 100,000: 5.58% Over \$100,000: \$5,580 plus 7.81%		Yes	One-factor sales formula.
<b>Nevada</b>	Commerce Tax. Recently enacted gross receipts tax; first returns were due August 15, 2016. Similar to the Washington B&O tax, this gross receipts tax has 27 possible tax rates, varying according to NAICS code. Rates from a low of 0.00051 to the highest rate of 0.00331. A standard deduction of \$4 million from gross receipts, prior to any calculations, is applicable.	Taxation is on each single entity which is subject to the tax. Some items are excluded from gross receipts. One is revenue received from certain affiliated entities (there is no consolidation in reporting); another concerns distributions from certain legal business forms (e.g., corporations, partnerships, or LLCs).	No	No explicit formula; tax is on Nevada receipts. Statute provides siting guidelines, specific to different types of receipts. Alternative method of siting by taxpayer may be allowed.
<b>New Hampshire</b>	8.5% of taxable business profits for gross income over \$50,000  0.75% of business enterprise value base for gross income over \$207,000 or enterprise value base over \$103,000.	Amounts indexed for inflation.  For taxable periods ending on or after Dec. 31, 2016, business profits tax rate is 8.2% and business enterprise tax rate is 0.72%. Later reduction possible, depending on state revenues.	Yes	Three-factor formula with double-weighted sales factor.
<b>New Jersey</b>	Greater of: \$0 - \$50,000: 6.5% \$50,001 - \$100,000: 7.5% \$100,001 or more: 9%; or  alternative minimum assessment, if applicable; or  fixed dollar minimum tax based on gross receipts  Fixed dollar minimum tax: \$0-\$99,999 gross receipts: \$500 \$100,000-\$249,999 gross receipts: \$750 \$250,000-\$499,999 gross receipts: \$1,000 \$500,000-\$999,999 gross receipts: \$1,500 \$1,000,000 gross receipts or more: \$2,000.  Fixed dollar minimum tax (NJ S corporations): \$0-\$99,999 gross receipts: \$375 \$100,000-\$249,999 gross receipts: \$562.50 \$250,000-\$499,999 gross receipts: \$750 \$500,000-\$999,999 gross receipts: \$1,125 \$1,000,000 gross receipts or more: \$1,500.	\$2,000 minimum tax for members of affiliated or controlled group with total payroll of \$5 million or more.	No	One-factor sales formula.
<b>New Mexico</b>	Under \$500,000: 4.8% \$500,001 - \$1,000,000: \$24,000 plus 6.4% Over \$1,000,000: \$56,000 plus 6.6%  or taxpayers with \$100,000 or less of gross sales within the state may pay 0.75% on such sales.	Reduction of highest tax rate phased in as follows: 6.2% for 2017 tax year; 5.9% for 2018 tax year and thereafter.  In addition, for tax years after 2016, tax rate schedules contain only two brackets (with lower bracket remaining at 4.8% for net income up to \$500,000).  Gross sales option available only to taxpayers whose only activity in the state consists of making sales, and who do not own or rent real estate in the state.	Yes	Evenly weighted three-factor formula.

## APPENDIX D-3 (continued)

### State Corporate Business Tax Comparisons as of January 2016

State	Rate	Comment	Mandatory Combined Reporting	Apportionment
<b>New York</b>	<p>Greater of: business income base of 6.5% (0% for qualified in-state manufacturers, 5.5% for qualified emerging technology companies (QETCs)); capital tax base of 0.125% (0.106% for qualified in-state manufacturers and QETCs) per dollar of allocated capital (up to \$350,000 for qualified in-state manufacturers and QETCs or \$5 million for other taxpayers); or fixed dollar minimum tax based on receipts attributable to state sources.</p> <p>Fixed dollar minimum tax: ranges from \$25 (if state receipts are not more than \$100,000) to \$200,000 (if state receipts are over \$1 billion).</p> <p>Small business taxpayers: 6.5%.</p>	<p>Reduced fixed dollar minimum tax amounts apply to qualified in-state manufacturers and QETCs.</p> <p>Capital base tax phased out over six years, beginning in 2016.</p>	Yes	One-factor receipts formula.
<b>North Carolina</b>	4.0%		No	Three-factor formula with triple-weighted sales factor.
<b>North Dakota</b>	<p>\$0 - \$25,000: 1.41%</p> <p>\$25,001 - 50,000: 3.55%</p> <p>Over \$50,000: 4.31%</p> <p>3.5% additional tax for water's edge combined reporting groups</p>		Yes	Evenly weighted three-factor formula.
<b>Ohio</b>	<p>Commercial Activity Tax (CAT): 0.26% on gross receipts over \$1 million. Annual minimum tax also applies as follows:</p> <p>\$150,000-\$1 million: \$150</p> <p>over \$1 million-\$2 million: \$800</p> <p>over \$2 million-\$4 million: \$2,100</p> <p>over \$4 million: \$2,600.</p>	<p>Financial Institutions Tax (FIT): Greater of: 8 mills (.008) on the first \$200 million in apportioned total equity capital, 4 mills (.004) on apportioned total equity capital greater than \$200 million and less than \$1.3 billion, and 2.5 mills (.0025) on apportioned total equity capital equal to or greater than \$1.3 billion; or \$1,000.</p>	Yes	No general apportionment formula.
<b>Oklahoma</b>	6%		No	Evenly weighted three-factor formula; corporations meeting investment criteria may double-weight the sales factor.
<b>Oregon</b>	<p>Greater of: 6.6% on first \$1 million or fraction thereof, 7.6% on taxable income over \$1 million; or fixed dollar minimum tax based on Oregon sales.</p> <p>Taxpayers with \$100,000 or less in gross sales within the state may pay 0.25% on such sales or 0.0125% on such sales if return on sales is less than 5%.</p> <p>Fixed dollar minimum tax:</p> <p>\$0-\$499,999: \$150</p> <p>\$500,000-\$999,999: \$500</p> <p>\$1,000,000-\$1,999,999: \$1,000</p> <p>\$2,000,000-\$2,999,999: \$1,500</p> <p>\$3,000,000-\$4,999,999: \$2,000</p> <p>\$5,000,000-\$6,999,999: \$4,000</p> <p>\$7,000,000-\$9,999,999: \$7,500</p> <p>\$10,000,000-\$24,999,999: \$15,000</p> <p>\$25,000,000-\$49,999,999: \$30,000</p> <p>\$50,000,000-\$74,999,999: \$50,000</p> <p>\$75,000,000-\$99,999,999: \$75,000</p> <p>\$100,000,000 or over: \$100,000.</p>	Gross sales option available only to taxpayers that do not own any property within the state.	No	One-factor sales formula.
<b>Pennsylvania</b>	9.99%		No	One-factor sales formula.

## APPENDIX D-3 (concluded)

### State Corporate Business Tax Comparisons as of January 2016

State	Rate	Comment	Mandatory Combined Reporting	Apportionment
<b>Rhode Island</b>	Greater of: net income tax of 7%; or minimum tax of \$450	Registered personal holding companies, RICs, and REITs: Greater of: 10 cents on each \$100 of gross income; or \$100. Special rates apply to public utilities.	Yes	One-factor sales formula.
<b>South Carolina</b>	5%	4.5% rate on banks. 6% rate on most net income of savings and loan associations after first three years of operation.	No	One-factor sales formula.
<b>South Dakota</b>	Does not impose a corporate income tax	—	—	—
<b>Tennessee</b>	6.5%		No	Three-factor formula with triple-weighted sales factor.
<b>Texas</b>	0.75% for most entities. 0.375% for qualifying entities in retail or wholesale trade. 0.331% for entities with \$20 million or less in annualized total revenue using the E-Z computation.	Rates apply to tax reports due in 2016. Tax is imposed on lesser of 70% of total revenue, total revenue less \$1,000,000, or 100% of total revenue after deductions for either compensation or cost of goods sold. An optional E-Z calculation is available for some taxpayers.	Yes	One-factor gross receipts formula.
<b>Utah</b>	5%	\$100 minimum tax	Yes	Evenly weighted three-factor formula, unless election is made to use apportionment formula with double-weighted sales factor.
<b>Vermont</b>	\$0 - \$10,000: 6% \$10,001 - 25,000: \$600 + 7% Over \$25,001: \$1,650 + 8.5%	Minimum tax equal to the following: \$75 for small farm corporations; \$250 for corporations with \$2 million or less in gross receipts; \$500 for corporations with gross receipts over \$2 million; \$750 for corporations with gross receipts over \$5 million.	Yes	Three-factor formula with double-weighted sales factor.
<b>Virginia</b>	6%	Telecommunications companies: Greater of tax using corporate rate or 0.5% minimum tax on gross receipts. Electric suppliers: Greater of tax using corporate rate or 1.45% minimum tax on gross receipts.	No	Three-factor formula with double-weighted sales factor.
<b>Washington</b>	The Business and Occupation Tax. A gross receipts tax with multiple rates rates, varying by the reporting firm's industry. Rates from a low of 0.0013 to the highest rate of 0.00484. Four major industry classifications and associated tax rates. A further 31 more detailed industry classifications which a firm may fall in to, each with its own specific B&O tax rate.	Taxation is on each single entity which is subject to the tax. There are no deductions from the B&O (as gross receipts are the tax base) for labor, materials, or other costs of doing business. Several tax credits are available; some major credits: high technology credit, small business credits, and credit for hiring unemployed veterans.	No	No explicit formula; tax is on Washington receipts. However, recent changes have provided single factor (sales) apportionment for certain industries such as services.
<b>West Virginia</b>	6.5%		Yes	Three-factor formula with double-weighted sales factor.
<b>Wisconsin</b>	7.9%	\$25 up to \$9,800 economic development surcharge if gross receipts are \$4 million or more.	Yes	One-factor sales formula.
<b>Wyoming</b>	Does not impose a corporate income tax	—	—	—

## Footnotes:

1. California: Exception for affiliated railroads pursuant to California Revenue & Taxation Code § 23362
2. Tennessee: Except for unitary groups of financial institutions, captive REIT affiliated groups, or business entities that have been required or permitted to file franchise and excise tax returns on a combined, consolidated or separate accounting basis, each taxpayer will be considered an separate and single business entity for Tennessee franchise and excise tax purposes.
3. Texas: For purposes of computing the margin tax, "taxable entities that are part of an affiliated group engaged in a unitary business" must file a combined report.
4. Utah: Only unitary groups can file on a consolidated basis
5. Virginia: Water's edge combined reporting allowed for affiliated corporations

Sources: CCH, Inc.; Glenn Hegar, Texas Comptroller

## APPENDIX E

### State Professional Fees Detail as of Fiscal 2016

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Accountants</b>	<p>The board may charge fees to a person who practices public accountancy. Certified Public Accountant certificate is \$250, including a reciprocal certificate. An initial license and the biennial renewal fee is \$250. For late renewals under 90 days the fee is 1 1/2; times the normal renewal fee. For 91 days to 1 year it is twice the fee. Over 1 year but less than 2 is 3 times the fee. An additional \$10 fee is paid with the license fee for the 5th Year Accounting Students Scholarship Program.</p> <p>License for a firm is set by the board, not-to-exceed \$25 per employee.</p> <p>The board may charge examination fees only to cover the administrative costs of the exams. They may charge up to \$100 for filing an application for examination. The board may charge up to \$50 for transferring exam credits to another jurisdiction and up to \$100 for receiving credits from another jurisdiction.</p> <p>The board may charge a firm up to \$200 per peer review performed.</p>	1915 by the 34th Leg. R.S.	TEX. OCC. CODE ANN. ch. 901	457 - Texas State Board of Public Accountancy	An account in the Texas Treasury Safekeeping Trust Company.
<b>Acupuncture</b>	<p>Person may not practice acupuncture in this state unless they hold license issued by medical board. Board shall set and collect fees to cover administration and enforcement. Person may renew unexpired license by paying required renewal fee. If expired for 90 days or less, must pay 1 1/2 times renewal fee, over 90 days but less than 1 year must pay 2 times renewal fee. Expired over one year must re-apply for license. Person may not practice as an acudetox specialist (acupuncture limited to treating alcoholism, substance abuse, chemical dependency) unless certified by Board. Temporary license (certification and renewal) fees are also set by the Board.</p>	1993 by S.B. 1062, 73rd Leg. R.S.	TEX. OCC. CODE ANN. sec. 205.204, sec. 205.253, sec. 205.103	503 - Texas Medical Board	0001 - General Revenue Fund
<b>Air Conditioning and Refrigeration Contractors and Technicians</b>	<p>Fees charged for licensing of air conditioning and refrigeration contractors and technicians (persons who design, install, construct, maintain, service, repair, alter or modify any heating, ventilating or air conditioning product, system or equipment). Set by the Commission in amounts necessary to defray costs of administration. Fees include: Original and renewal licenses, examination fees.</p> <p>* Application, registration, temporary registration, renewal and certified technician designation fees are charged to persons acting as air conditioning and refrigeration technicians working under contractors' supervision.</p> <p>** New license status of Inactive, Temporary and Emergency, fees set by the department.</p>	1983 by S.B. 642, 68th Leg. R.S.	TEX. OCC. CODE ANN. ch. 1302, sec. 51.4011, sec. 51.407, sec. 51.408	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Architects</b>	<p>Fees for each architect before practicing:</p> <ul style="list-style-type: none"> <li>Exam application and initial registration fee - as set by Board. (1051.704, 1051.705)</li> <li>Fees for an applicant who holds a license or certificate of registration issued by another jurisdiction - as set by Board. (1051.305)</li> <li>Renewal fees for residents of this state - as set by Board plus an additional amount for the examination fee scholarship program. (1051.351, 1051.651)</li> <li>Renewal fees for non-residents - as set by Board. (1051.351, 1051.651)</li> <li>Renewal fee for certificate of registration that has been expired for 90 days or less - 1-1/2 times required renewal fee. (1051.353)</li> <li>Renewal fee for certificate of registration that has been expired for over 90 days but less than 2 years - 2 times required renewal fee. (1051.353)</li> <li>Renewal fee for a person who was registered in this state, moved to another state, and is currently licensed or registered and has been in practice in the other state for the two years preceding the date of the application - 2 times required renewal fee. (1051.353)</li> <li>Inactive status renewal and administrative fee - as set by the Board plus an additional amount for the examination fee scholarship program. (1051.355)</li> <li>Architect Emeritus administrative and renewal fee - as set by the Board. (1051.357)</li> </ul> <p>The Board may assess an administrative penalty NTE \$5,000 for each violation (1051.452). This penalty is collected under Revenue Object 3770.</p>	1937 by the 45th Leg.	TEX. OCC. CODE ANN. sec. 1051.704, sec. 1051.705, sec. 1051.305, sec. 1051.351, sec. 1051.651, sec. 1051.353, sec. 1051.355, sec. 1051.357, sec. 1051.452	459 - Texas Board of Architectural Examiners	A account with the Texas Safekeeping Trust Company.

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Asbestos Removal</b>	<p>A person may not engage in removing asbestos, encapsulating asbestos, enclosing asbestos or loading or unloading asbestos from a public building unless licensed. Fees are set by the executive commissioner sufficient to generate amounts necessary to administer and enforce the Chapter.</p> <p>Civil penalties levied for violations cannot exceed \$10,000 a day for each violation (collected under Revenue Object 3717).</p> <p>Administrative penalties may not exceed \$10,000 a day for each violation (collected under Revenue Object 3770).</p>	1987 by H.B. 36, 70th Leg. R.S.	<p>TEX. HEALTH &amp; SAFETY CODE ANN. sec. 12.032</p> <p>TEX. OCC. CODE ANN. sec. 1954.056, sec. 1954.352, sec. 1954.401</p>	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501)	<p>0001 - General Revenue Fund</p> <p>5017 - GR Account - Asbestos Removal Licensure</p>
<b>Assessors</b>	For each applicant before engaging in business as professional assessor of Ad Valorem taxes. Each application must be accompanied by a nonrefundable processing and application fee set by Commission and must be renewed annually. An applicant for reinstatement must pay a \$250 fee.	1977 by S.B. 67, 65th Leg.	TEX. OCC. CODE ANN. ch. 1151	452 - Texas Department of Licensing and Regulation (formerly the Board of Tax Professional Examiners, Agency 337)	0001 - General Revenue Fund (formerly to the Assessors Registration Fund Account (No. 0160), abolished August 31, 1995 per § 403.094, Government Code.)
<b>Athlete Agent Registration</b>	An athlete agent must register before the agent may contact an athlete, either directly or indirectly, while the athlete is located in this state. Fees are set by the secretary in amounts reasonable and necessary to cover the costs of administration.	1987 by S.B. 20, 70th Leg. 2nd C.S.	TEX. OCC. CODE ANN. sec. 2051.108	307 - Secretary of State	0001 - General Revenue Fund
<b>Athletic Trainers</b>	<p>To record fees for regulating athletic trainers. The commission shall set fees in amounts to cover costs of administration for applications, licenses, renewals, examinations and other programs or activities for which a fee is authorized.</p> <p>Fees to renew expired licenses are between 1-1/2 to 2 times the normally required renewal fee.</p> <p>Related Administrative Penalties</p> <p>Administrative penalties may be assessed not to exceed \$500 for each violation. Each day a violation continues is a separate violation. The total amount of the penalty assessed for a violation continuing or occurring on separate days may not exceed \$2,500. (collected under Revenue Object 3770).</p>	1971 by the 62nd Leg.	TEX. OCC. CODE ANN. sec. 51.401, sec. 51.202, sec. 451.152, sec. 451.156, sec. 451.351	452 - Texas Department of Licensing and Regulation (formerly Department of State Health Services, agency 537; Texas Department of Health, agency 501 (Advisory Board of Athletic Trainers))	0001 - General Revenue Fund
<b>Attorneys</b>	<p>A candidate for a license to practice law in Texas shall pay the following fees set by the Supreme Court:</p> <ul style="list-style-type: none"> <li>• Examination fee, not to exceed \$150.</li> <li>• Fee for investigation of moral character and fitness, not to exceed \$150.</li> <li>• Application fee for foreign attorneys, not to exceed \$700.</li> <li>• Fees for additional services, but the fee for any single additional service, not to exceed \$150.</li> <li>• Issuance of an attorney's license, \$10.</li> </ul>	1919 by the 36th Leg.	TEX. GOV'T CODE ANN. sec. 82.033, sec. 101.021	<p>201 - Supreme Court</p> <p>203 - Board of Law Examiners</p>	Retained locally.
<b>Auctioneers</b>	<p>Registration, exam, and renewal fees for auctioneers and associate auctioneers. Examination fees, renewal fees, penalties and fines are set by department rule.</p> <ul style="list-style-type: none"> <li>• If at December 31 of any year, the balance in the trust fund is less than \$350,000 each licensee shall pay a fee in addition to renewal fees, the greater of \$50 or a pro rata share of the amount necessary to bring the fund to \$350,000.</li> <li>• The department may charge an auction school a reasonable fee for approving the required curriculum.</li> <li>• New license status of inactive, temporary and emergency fees set by the department.</li> </ul>	1975 by H.B. 1925, 64th Leg.	TEX. OCC. CODE ANN. sec. 51.4011, sec. 51.407, sec. 51.408, sec. 1802.054, sec. 1802.153	452 - Texas Department of Licensing and Regulation	<p>0001 - General Revenue Fund</p> <p>0898 - Auctioneer Education and Recovery Trust Fund</p>

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Barbers</b>	<p>Each person, school or shop, before practicing barbering must be licensed at rates set by department for:</p> <p>(1) Examination Fee</p> <p>(2) Examination Fee for 5 year reinstatement</p> <p>(3) Renewal Fee, barbers, barber technicians, teacher, wig instructor, wig specialist, manicurist, other licensed specialist</p> <p>(4) Renewal while in the Armed Forces</p> <p>(5) Barber School Instructor License Fee</p> <p>(6) Instructor License, original and renewal</p> <p>(7) Barber Technician Administration Fee</p> <p>(8) Barber Technician License Fee</p> <p>(9) Barber School Permit Fee</p> <p>(10) Barber School Permit Renewal Fee</p> <p>(11) Temporary Barber Shop Permit and Inspection Fee</p> <p>(12) Renewal of Barber Shop Permit</p> <p>(13) Barber Shop, Specialty Shop, Barber School expired permit more than 30 days - delinquency fee</p> <p>(14) Duplicate Registrant Certificate</p> <p>(15) Manicurist Administration Fee</p> <p>(16) Specialty Shop Inspection, Permit or Renewal Fee</p> <p>(17) Wig Specialty Shop Inspection or Renewal Fee</p> <p>(18) Manicurist Specialty License</p> <p>(19) Wig Specialist License</p> <p>(20) Wig Specialist Administration Fee</p> <p>(21) Wig Instructor Administration Fee</p> <p>(22) Wig Salon License</p> <p>(23) Wig School Permit</p> <p>(24) Reciprocal certificate, at fee prescribed.</p> <p>(25) Certificate of Registration</p> <p>(26) Reinspection of barber school or college</p> <p>(27) Nonrefundable enrollment application fee</p> <p>(28) air Weaving Specialty Certificate</p> <p>(29) Dual barber and beauty shop license</p> <p>(30) Mobile shop fees</p> <p>(31) Inactive, temporary and emergency license fees</p> <p>(32) Application fee for license or certificate issued to an applicant who holds a license issued by another jurisdiction for barber, barber technician and hair weaving specialist.</p> <p>(33) Mini-barbershop license and inspection fees</p> <p>Includes civil penalties from \$25 to \$5,000 per day (collected under Revenue Object 3717).</p> <p>If on January 1 of any year, the amount in the barber school tuition protection account is less than \$25,000, the board shall collect a fee from each school by applying a percentage to the schools renewal fee at a rate to bring the account balance to \$25,000.</p>	1929 by the 41st Leg.	TEX. OCC. CODE ANN. ch. 1601, sec. 51.407, sec. 51.408, sec. 51.401, sec. 51.352, sec. 1603.207, sec. 1603.452	452 - Texas Department of Licensing and Regulation (formerly State Board of Barber Examiners, Agency 502)	<p>0001 - General Revenue Fund (formerly to the Barber Examiners Fund Account (No. 0040), abolished 8-31-95 per \$ 403.094, Government Code)</p> <p>5081 - GR Account - Barber School Tuition Protection</p>
<b>Cemeteries/ Crematories</b>	<p>A person may not conduct a cemetery or crematory business in this state unless the owner or operator registers with the commission and pays the fee. The commission by rule shall establish the fee, which must include the cost of regulating registrants, including discipline and complaint investigation. Renewal fees paid annually. If registration expired over 30 days, must re-register.</p> <p>* To renew a crematory establishment license, a report must be filed with the renewal fee. A \$100 per day late fee shall be imposed if the report is not filed.</p>	2001 by H.B. 3067, 77th Leg. R.S.	TEX. OCC. CODE ANN. ch. 651	513 - Texas Funeral Service Commission	0001 - General Revenue Fund

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Cemetery Brokers</b>	<p>(1) Effective 1-1-2014, the Texas Department of Banking may charge a cemetery broker an administration fee not to exceed \$100 per year to cover the costs of administration, filing and maintaining the registration. (711.046)</p> <p>(2) The Department of Banking shall impose a fee for each examination of a cemetery broker. The amount of the fee must be sufficient to cover costs of the examination. (711.084)</p> <p>These fees are set by the Finance Commission of Texas.</p>	2013 by H.B. 52, 83rd Leg. R.S.	TEX. HEALTH & SAFETY CODE ANN. sec. 711.046, sec. 711.084	451 - Texas Department of Banking	Local account with the Texas Safekeeping Trust Company.
<b>Chemical Dependency Counselor</b>	<p>To record fees for regulation of chemical dependency counselors and counselor interns. Application, examination, license renewal and other fees are set by the executive commissioner by rule in amounts to recover administration and enforcement.</p> <p>The executive commissioner shall add a surcharge of up to \$10 to a license or renewal fee to fund peer assistance programs for chemical dependency counselors, including administrative costs related to programs.</p> <p>Renewal fees for licenses expired 90 days or less are fee plus 1-1/2 times the required renewal fee; over 90 days but less than 1 year are 2 times the required renewal fee. Licenses expired for one year or more may not be renewed and the person must reapply. If previously licensed in Texas and currently licensed in another state and practicing for 2 years, may renew without a reexamination by paying twice the renewal fee.</p> <p>Related Administrative and Civil Penalties</p> <p>Administrative penalties may be assessed up to \$1,000 per violation. Each day is separate violation (collected under Revenue Object 3770).</p> <p>Civil penalties maybe be assessed between \$50 and \$500 per day for violation (collected under Revenue Object 3717).</p>	1991 by S.B. 837, 72nd Leg. R.S.	TEX. OCC. CODE ANN. sec. 504.053, sec. 504.203, sec. 504.302, sec. 504.058, sec. 504.351	537 - Department of State Health Services (formerly Texas Commission on Alcohol and Drug Abuse, Agency 517)	0001 - General Revenue Fund (formerly to the Licensed Chemical Dependency Fund Account (No. 0144), abolished August 31, 1995 per \$ 403.094, Government Code)
<b>Chiropractic</b>	<p>Fees charged each person practicing chiropractic in amounts set by the Board shall produce sufficient revenue to cover administration costs. Fees may be adjusted but may not be set for an amount less than the amount of that fee on September 1, 1993. Included are fees for:</p> <ul style="list-style-type: none"> <li>• Annual Registration</li> <li>• Reciprocal license</li> <li>• Examination Fee</li> <li>• Re-examination Fee</li> <li>• Verification of satisfaction of completion of the courses NTE \$50</li> <li>• Verification of licensing requirements</li> <li>• Administration fee for removal of inactive status</li> <li>• Out-of-state applicant</li> <li>• Temporary faculty license and renewal fees set by the Board.</li> </ul> <p>To register a chiropractic facility, the owner must pay a registration fee set by the board NTE \$75, renewable annually for the same amount.</p> <p>Initial license or renewal fee increased by \$5 and renewal by \$1, effective September 1, 2003.</p> <p>Late fees:</p> <ul style="list-style-type: none"> <li>• 90 days or less - renewal fee equal to 1-1/2 annual renewal fee and required increase;</li> <li>• 91 days - 1 year, renewal fee equal to 2 times annual renewal fee and required increase;</li> <li>• 1 year - 3 years, renewal fee for each year expired plus additional fee equal to renewal fee multiplied by number of years expired (prorated for fractional years) and two times the renewal fee plus the required increase.</li> </ul> <p>Board may impose administrative penalties up to \$1,000 per day for violation of this Act (collected under Revenue Object 3770). Civil penalties are \$1,000 per day (collected under Revenue Object 3717).</p>	1949 by the 51st Leg.	TEX. OCC. CODE ANN. sec. 101.307, sec. 201.303, sec. 201.312, sec. 201.354, sec. 201.552, sec. 201.603	508 - Texas Board of Chiropractic Examiners	0001 - General Revenue Fund



APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Code Enforcement Officers</b>	<p>A code enforcement officer must pay fees set by the executive commissioner in amounts reasonable and necessary to cover costs of administration and enforcement of the chapter.</p> <p>May assess an administrative penalty between \$50 and \$5,000 per violation per day (collected under Revenue Object 3770).</p>	September 1, 1991 by H.B. 1257, 72nd Leg. R.S.	TEX. OCC. CODE ANN. sec. 1952.252, sec. 1952.052	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501)	0001 - General Revenue Fund (formerly to the Code Enforcement Officer Registration Fund Account (No. 0073), abolished August 31, 1995 per \$ 403.094, Government Code. Transferred to Agency 537 by H.B. 2292, 78th Leg. R.S.
<b>Cosmetologists and Hairdressers</b>	<p>Each person, school or shop before practicing cosmetology must be licensed at rates reasonable and necessary to administer, as set by the department for:</p> <p>License Fees:</p> <ul style="list-style-type: none"> <li>• Operator</li> <li>• Manicurist/Esthetician Specialty License</li> <li>• Instructor</li> <li>• Beauty Shop</li> <li>• Specialty Shop</li> <li>• Private Beauty School</li> <li>• Temporary Work Permit for Student</li> <li>• Facialist Specialty License</li> <li>• Temporary (60 day)</li> <li>• Reciprocal</li> <li>• Eyelash Extension</li> <li>• Specialty Certificate</li> <li>• Student Permits</li> <li>• Duplicate License or Certificate</li> <li>• Transcript</li> <li>• Specialty Instructors</li> <li>• Shampoo Apprentice Permit</li> <li>• Inactive, Temporary and Emergency License</li> <li>• Application fee for license issued to an applicant who holds a license issued by another state.</li> <li>• Mini-salons</li> </ul> <p>Renewal Fees - All licenses and certificates renewable biennially for a fee set by department, except private beauty school license renewable annually. Renewal of license expired less than five years - pay renewal fee for each year of expiration and delinquent fee set by department. Renewal of license expired more than five years - payment of reinstatement fee set by the department and reapplication for license.</p> <p>Inspection Fees - Beauty Shops, Specialty Shops, Private Beauty Schools, Public or Post-secondary Schools, and Mini-salons as set by the department.</p> <p>Beginning 1-1-92, additional fee based on a percentage of each school's renewal fee due with the annual renewal fee. Additional fee collected for three years and deposited to GR Account - Private Beauty School Tuition Protection (No. 0108). On 1-1-95 or any subsequent year, fee may be collected dependent on the balance in the account, in order to maintain a \$200,000 balance in account.</p> <p>The department may impose an administrative penalty against a person licensed or regulated in an amount up to \$5,000 per violation (collected under Revenue Object 3770).</p>	1935 by the 44th Leg.	TEX. OCC. CODE ANN. sec. 51.4011, sec. 51.407, sec. 51.408, sec. 51.302, sec. 1602.464, sec. 1602.268	452 - Texas Department of Licensing and Regulation (formerly Cosmetology Commission, Agency 505)	0001 - General Revenue Fund  0108 - GR Account - Private Beauty Culture School Tuition Protection



APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Court Interpreters</b>	<p>A court shall appoint a certified court interpreter or licensed court interpreter if a motion is filed by a party or requested by a witness in a civil or criminal proceeding.</p> <p>Department of Assistive and Rehabilitative Services (DARS) certifies court interpreters to interpret proceedings for a hearing impaired individual. DARS sets fees for training, exams, initial certification and certification renewal. Texas Department of Licensing and Regulation sets license and exam fees to certify interpreters for individuals who can hear but do not comprehend or communicate in English.</p> <p>License statuses are Inactive, Temporary and Emergency.</p>	2001 by H.B. 2735, 77th Leg. R.S.	TEX. GOV'T CODE ANN. ch. 57	<p>452 - Texas Department of Licensing and Regulation</p> <p>538 - Department of Assistive and Rehabilitative Services (formerly Commission for the Deaf and Hard of Hearing, Agency 335)</p>	0001 - General Revenue Fund
<b>Court Reporters</b>	<p>Each certification as court reporter/shorthand reporter requires initial certification or registration fee set by Board. Certificate expires on January 1 following the second anniversary of date of issue. Renewal and exam fees set by the Board. The Board may reinstate certification or registration if expired 90 days or less for 1 1/2 times the normal renewal and penalty fees. Over 90 days, pays 2 times the normal renewal fees. A court reporting firm shall register with the Board and comply with the same rules applicable to a court reporter. The Board may enforce by assessing a reasonable fee against a court-reporting firm. The Board may assess administrative penalties in amounts as determined (collected under Revenue Object 3770).</p>	1977 by S.B. 586, 65th Leg.	TEX. GOV'T CODE ANN. sec. 154.101, sec. 154.102, sec. 154.107, sec. 154.108	212 - Office of Court Administration	0001 - General Revenue Fund
<b>Customs Brokers</b>	<p>A customs broker must pay an annual license fee of \$300 for each place of business from which the custom broker intends to issue a certificate of export.</p>	1993 by H.B. 2413, 73rd Leg. R.S.	TEX. TAX CODE ANN. sec. 151.157(c)	902 - Comptroller - State Fiscal	0001 - General Revenue Fund
<b>Dental</b>	<p>Applicant fees for exam for license to practice dentistry or dental hygiene and for registration of dental laboratories. Fees are set by Board to produce sufficient revenue to cover cost of administration.</p> <ul style="list-style-type: none"> <li>• Examination Fee</li> <li>• Reciprocal Registration Fee</li> <li>• Annual Renewal Fee</li> <li>• Duplicate License</li> <li>• Duplicate Registration Certificate</li> <li>• Peer Assistance Fee</li> <li>• Provisional License</li> <li>• Dental Assistant X-Ray Certificate</li> <li>• Faculty Member License - Dental or Dental Hygiene Schools</li> <li>• Anesthesia Permit and Fee</li> <li>• Temporary Dental License</li> </ul> <p>Renewal fees: 90 days or less - 1 1/2 times the normal renewal fee. More than 90 days but less than 1 year - 2 times the normal renewal fee. One year or more - may not renew and must reapply.</p> <p>Administrative penalties up to \$5,000 for each violation. Administrative penalties not involving direct patient care up to \$1,000 per violation, up to \$3,000 in a calendar year (collected under Revenue Object 3770).</p> <p>Initial licenses or registration fee were increased by \$5 and renewal by \$1, effective 9/1/2003 to fund the Office of Patient Protection within the Health Professions Council (364)</p> <p>The board collects a \$55 surcharge on license issuance and renewal.</p>	1919 by the 36th Leg.	TEX. OCC. CODE ANN. sec. 101.307, sec. 256.1015, sec. 257.001, sec. 257.002, sec. 258.155, sec. 264.002, sec. 264.0115, sec. 266.153, sec. 266.154, sec. 266.155	504 - State Board of Dental Examiners	0001 - General Revenue Fund

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Dental Support Organizations</b>	Fees for the registration and corrected registration of dental support organizations. Set by the Secretary of State to recover administration costs of the program.	S.B. 519, 84th Leg. R.S.	TEX. BUS. & COMM. CODE ANN. sec. 73.004	307 - Secretary of State	0001 - General Revenue Fund
<b>Dietitians</b>	<p>To record fees for regulation of dietitians. The commission shall set fees in amounts to cover costs of administration for applications, licenses, renewals, examinations and other programs or activities for which a fee is authorized.</p> <p>A fee that existed on September 1, 1993 may not be set in an amount less than the amount of that fee on that date.</p> <p>Fees to renew expired licenses are between 1-1/2 to 2 times the normally required renewal fee.</p> <p>Related Administrative Penalties</p> <p>Administrative penalties may be imposed between \$50 and \$5,000 for each violation. Each day of continuance is a separate violation. (collected under Revenue Object 3770).</p>	1983 by S.B. 671, 68th Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.401, sec. 51.202, sec. 701.154, sec. 701.252, sec. 701.502, sec. 701.259, sec. 701.260	452 - Texas Department of Licensing and Regulation (formerly Department of State Health Services, agency 537; Texas Department of Health, agency 501)	0001 - General Revenue Fund (formerly to the Licensed Dietitian Act Fund Account (No. 0498), abolished 8-31-95 per § 403.094, Government Code)
<b>Discount Health Care Programs</b>	<p>A program operator may not offer a discount health care program unless registered with the department. A program shall pay an initial registration fee of \$1,000 and an annual renewal fee NTE \$500.</p> <p>Administrative penalties (collected under Revenue Object 3770) NTE \$1,000 per violation or \$5,000 for all violations may also be assessed, as well as civil penalties (collected under Revenue Object 3717) .</p> <p>New license status of Inactive, Temporary and Emergency, fees set by the department.</p>	2007 by H.B. 3064, 80th Leg. R.S.	TEX. INS. CODE ANN. sec. 562.160, sec. 562.161, sec. 7001.006	454 - Texas Department of Insurance (formerly Texas Department of Licensing and Regulation, Agency 452)	0001 - General Revenue Fund  0036 - GR Account - Texas Department of Insurance Operating
<b>Dog and Cat Breeders</b>	A person that is a dog or cat breeder must hold a license for each facility owned or operated. Application, initial and renewal license and pre-license inspection fees are set by Commission to cover costs of administration and enforcement.	2011 by H.B. 1451, 82nd Leg. R.S.	TEX. OCC. CODE ANN. sec. 802.052, sec. 802.101	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Dry Cleaning Facilities</b>	<p>Each owner of an operating dry cleaning facility shall register with the commission and pay a fee of: \$250 for a facility with gross annual receipts of \$150,000 or less or designated as nonparticipating under § 374.104; \$2,500 for a facility with gross annual receipts of more than \$150,000; or as determined by the Commission if the facility depends entirely on revenue collected from an associated drop station(s) in accordance with the combined annual receipts of the drop station(s).</p> <p>* A person who owns property or a preceding owner of property on which a facility or drop station is or was located may participate in fund benefits under certain conditions and by paying an annual registration fee of \$1,500 and a late fee of \$100 if applicable.</p> <p>For a drop station with gross annual receipts of more than \$150,000, a fee of \$750; with gross annual receipts of \$150,000 or less, a fee of \$250; or designated as non-participating under § 374.104, a fee of \$125.</p> <p>If a fee is not paid or an application not filed on or before the 30th day after the due date, a penalty NTE \$50 per day may be assessed.</p>	2003 by H.B. 136, 78th Leg. R.S.	TEX. HEALTH & SAFETY CODE ANN. sec. 374.102	582 - Texas Commission on Environmental Quality	5093 - GR Account - Dry Cleaning Facility Release

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Dyslexia Practitioners and Therapists</b>	<p>To record fees for regulating dyslexia practitioners and therapists. The commission shall set fees in amounts to cover costs of administration for applications, licenses, renewals, examinations and other programs or activities for which a fee is authorized.</p> <p>Fees to renew expired licenses are between 1-1/2 to 2 times the normally required renewal fee.</p> <p>Related Civil Penalties</p> <p>Civil penalties may be assessed not to exceed \$500 per violation. (collected under Revenue Object 3717).</p>	September 1, 2009 by H.B. 461, 81st Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.401, sec. 51.202, sec. 403.103, sec. 403.251, sec. 403.107	452 - Texas Department of Licensing and Regulation (formerly Department of State Health Services, agency 537)	0001 - General Revenue Fund
<b>Electricians</b>	<p>A person may not perform electrical work unless they hold an appropriate license. Licenses are required for a master electrician, master sign electrician, journeyman electrician, journeyman sign electrician, journeyman lineman, residential wireman, maintenance electrician, electrical contractor, electrical sign contractor, electrical apprentice, electrical sign apprentice, temporary apprentice, nonresident licenses and emergency electrician. Renewals required annually. Fees may also be adopted for administration of continuing education programs. Fees shall be reasonable and necessary to recover costs of administration.</p> <p>* New license status of Inactive, Temporary and Emergency, fees set by the department.</p>	2003 by HB. 1487, 78th Leg. R.S.	TEX. OCC. CODE ANN. ch. 1305, sec. 51.4011, sec. 51.407, sec. 51.408	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Elevator Inspection</b>	<p>Executive director may charge a reasonable fee for: registering or renewing an inspector or contractor, applying for a certificate of compliance, filing an inspection report, applying for a waiver or delay, attending a continuing education program and applying to remove equipment from service..</p> <p>License status of Inactive, Temporary and Emergency, fees set by the department.</p>	1993 by H.B. 154, 73rd Leg. R.S.	<p>TEX. OCC. CODE ANN. sec. 51.4011, sec. 51.407, sec. 51.408</p> <p>TEX. HEALTH &amp; SAFETY CODE ANN. sec. 754.014(c), sec. 754.015, sec. 754.017(c), sec. 754.019</p>	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund (formerly to special account for administration and reimbursement of Elevator Advisory Board, abolished August 31, 1995 per § 403.094, Government Code)
<b>Fire Alarm and Fire Detection Devices</b>	<p>Fees for each person or organization before engaging in planning, certifying, leasing, selling, servicing, installing or maintaining fire alarm or fire detection devices or systems.</p> <ul style="list-style-type: none"> <li>• Initial and annual renewal registration fee NTE \$500.00</li> <li>• Renewal of registration single station devices only NTE \$250.00</li> <li>• Branch office registration and renewal NTE \$150.00</li> <li>• Fire alarm tech/plan superintendent initial license NTE \$120.00</li> <li>• Fire alarm tech/plan superintendent renewal license NTE \$100.00</li> <li>• Duplicate certificates NTE \$20.00</li> <li>• Initial examination NTE \$30.00</li> <li>• Each re-examination - S.B. 353, 68th Leg. R.S. NTE \$20.00</li> <li>• Training school/testing service approval NTE \$500.00</li> <li>• Training school instructor NTE \$50.00</li> <li>• Fire alarm technician NTE \$50.00</li> <li>• Fire alarm technician renewal NTE \$50.00</li> </ul> <p>Late fees: less than 90 days - renewal fee and NMT 1/2 original fee; over 90 days but less than 2 years - renewal fee and NMT original fee.</p>	1975 by S.B. 925, 64th Leg.	TEX. INS. CODE ANN. sec. 6002.054	454 - Texas Department of Insurance	0036 - GR Account - Texas Department of Insurance Operating (formerly to Fire Alarm and Detection Systems Fund No. 0181)

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Fire Extinguishers</b>	<p>Fees for each firm installing or servicing portable fire extinguishers or planning, certifying, installing or servicing fixed fire extinguisher systems.</p> <ul style="list-style-type: none"> <li>• Certificate of registration, \$450.</li> <li>• Renewal of certificate, \$300.</li> <li>• Branch office registration certificate and renewal, \$100.</li> <li>• Initial license fee, \$70.</li> <li>• License fee renewal, \$50.</li> <li>• Initial examination, \$30.</li> <li>• Re-examination fee, \$20.</li> <li>• Duplicate or changed certificate, license or permit, \$20.</li> <li>• Change in ownership certificate, \$450.</li> <li>• Change in ownership branch, \$100.</li> <li>• Apprentice permit, \$30.</li> <li>• Initial hydrostatic testing license, \$250.</li> <li>• Hydrostatic testing license renewal, \$150.</li> </ul>	1971 by the 62nd Leg.	TEX. INS. CODE ANN. sec. 6001.055, sec. 6001.056	454 - Texas Department of Insurance	0036 - GR Account - Texas Department of Insurance Operating
<b>Fire Protection Personnel</b>	<p>A fee for each intermediate, advanced, and master certificate issued to each fire protection person, except the Commission may collect only one fee for renewal if a person holds more than one certificate. Fees set by Commission rule in amounts to recover costs, including fees to obtain criminal history information. Commission shall set a fee for a manual stating rules, regulations and minimum standards for fire protection personnel (see Revenue Code 3752). Commission shall set and collect a fee for examinations given to fire protection personnel for certification. Includes certification and renewal fees from training facilities. Unexpired certificates renewed for required fee over 30 days must pay renewal fee plus 1/2 certification fee.</p>	1983 by S.B. 288, 68th Leg. R.S. effective September 1, 1983	TEX. GOV'T CODE ANN. sec. 419.026, sec. 419.028, sec. 419.033, sec. 419.034, sec. 419.0341	411 - Texas Commission on Fire Protection (formerly Commission on Fire Protection Personnel Standards and Education, Agency 408)	<p>0001 - General Revenue Fund</p> <p>5156 - GR Account - Fire Protection Fees</p> <p>Prior to August 31, 1995, 50% of the fees credited to a special account in General Revenue dedicated to the Commission and 50% to General Revenue Fund (0001). Special account abolished August 31, 1995 per § 403.094, Government Code.</p>
<b>Fire Protection Sprinkler Systems</b>	<p>Fees charged each person or organization that plans, sells, installs, maintains or services fire protection sprinkler systems. (Registration and licensing requirements begin September 1, 1984.)</p> <p>Fire Protection Sprinkler System Contractor:</p> <ul style="list-style-type: none"> <li>• Application fee for Certificate of Registration NTE \$100.00</li> <li>• Issuance or renewal, Certificate of Registration NTE \$1,200.00</li> <li>• Fee for duplicate or change to Certificate NTE \$70.00</li> </ul> <p>Managing Employee:</p> <ul style="list-style-type: none"> <li>• Examination fee, per exam NTE \$100.00</li> <li>• Issuance or renewal of license NTE \$200.00</li> </ul> <p>Late Fees:</p> <ul style="list-style-type: none"> <li>• Less than 90 days   Renewal fee plus 1/2 original fee</li> <li>• Over 90 days but less than two years   Renewal fee plus original fee</li> </ul> <p>* A person may not install a multipurpose system using a single piping system without being licensed as a master or journeyman plumber with an endorsement as a multipurpose fire protection sprinkler specialist issued by the State Board of Plumbing Examiners, Agency 456.</p>	1983 by S.B. 234, 68th Leg. R.S.	<p>TEX. INS. CODE ANN. ch. 6003</p> <p>TEX. OCC. CODE ANN. sec. 1301.3565</p>	454 - Texas Department of Insurance (formerly the Texas Commission on Fire Protection, Agency 411)	0036 - GR Account - Texas Department of Insurance Operating

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Fireworks</b>	<p>Licenses required before manufacturing, selling, distributing fireworks at the rate of:</p> <p>(1) Each manufacturer, possessor and seller of fireworks NTE \$1,000.00  (2) Each distributor of fireworks NTE \$1,500.00  (3) Each fireworks jobber NTE \$1,000.00  (4) Each fireworks retailer permit NTE \$20.00  (5) Pyrotechnic Operators License \$100.00  (6) Renewal fee is license fee plus unpaid annual fees  (7) Public fireworks display permit NTE \$50.00  (8) Each agricultural or wildlife-control use permit \$50.00  (9) Pyrotechnic operator examination fee NTE \$50.00  (10) Re-examination fee NTE \$20.00  (11) Pyrotechnic special effects operator annual license NTE \$100.00  (12) Pyrotechnic special effect exam fee NTE \$50.00  (13) Pyrotechnic special effect re-exam fee NTE \$20.00  (14) Duplicate license fee NTE \$20.00  (15) Multiple fireworks displays NTE \$400.00  (16) Flame effects operator NTE \$100.00  (17) Flame effects operator's exam NTE \$30.00  (18) Flame effects operator's re-examination fee NTE \$20.00</p> <p>Under 90 days - annual fee plus 1/2 original license fee; over 90 days but less than two years - annual fee plus original license fee.</p> <p>* Additional fee for retail permit holder \$10.00. For manufacturer's, distributors or jobbers license \$250.00.</p>	1957 by the 55th Leg.	TEX. OCC. CODE ANN. ch. 2154	454 - Texas Department of Insurance	<p>0001 - General Revenue Fund</p> <p>0036 - GR Account - Texas Department of Insurance Operating (formerly to Fireworks License Fund No. 0119)</p>
<b>Food Managers</b>	<p>To record fees for regulating certified food managers at fixed and mobile retail establishments where food is prepared on-site for sale. The executive commissioner may adopt by rule the following fees:</p> <ul style="list-style-type: none"> <li>• Issuance and renewal of a food manager certificate not to exceed \$35.</li> <li>• Examination fee not to exceed \$10.</li> </ul>	2001 by H.B. 251, 77th Leg. R.S.	TEX. HEALTH & SAFETY CODE ANN. sec. 438.106	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501)	0001 - General Revenue Fund
<b>Forensic Analyst</b>	The Texas Forensic Science Commission (administratively attached to Sam Houston State University) may set and collect license and renewal fees for forensic analyst licenses (art. 38.01, sec. 4-a). A person who technically reviews or performs a forensic analysis or draws conclusions from or interprets a forensic analysis for a court or crime laboratory must hold a forensic analyst license.	S.B. 1287, 84th Leg. R.S.	TEX. CRIM. PROC. CODE ANN. art. 38.01	753 - Sam Houston State University for the Texas Forensic Science Commission.	0001 - General Revenue Fund
<b>Funeral Directors, Embalmers and Funeral Establishments</b>	<p>Before practicing embalming or funeral directing or operating a funeral establishment, certain fees are due. The Board sets all application, license, examination, renewal and provisional fees in amounts reasonable and necessary to cover administrative costs.</p> <p>Penalties for late renewal are as follows:</p> <ul style="list-style-type: none"> <li>• 90 days or less - renewal fee equal to 150% of the amount of renewal fee</li> <li>• more than 90 days but less than 1 year - renewal fee equal to 200% of amount of renewal fee</li> <li>• 1 year or more - pass exam, pay fees, including renewal fee = 2x normal renewal fee and complete continuing education requirements</li> <li>• Reinstatement of suspended license, renewal fee = 2x normal renewal fee plus penalties</li> <li>• Reissue of revoked license, pass exam, pay fee = 2x normal renewal fee and complete continuing education requirements</li> </ul> <p>An administrative penalty may be assessed for violations (collected under Revenue Object 3770). In determining the amount of penalty, the Commission shall consider the seriousness of the violation. For funeral service establishments between \$100 and \$5,000 per violation.</p> <p>Initial license or registration fee increased by \$5 and renewal by \$1, effective September 1, 2003.</p>	1903 by the 28th Leg. R.S. (p.123)	TEX. OCC. CODE ANN. sec. 101.307, sec. 651.2595, sec. 651.154, sec. 651.165, sec. 651.552	513 - Texas Funeral Service Commission	0001 - General Revenue Fund

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Geoscientists</b>	A person may not practice professional geosciences unless licensed. The board may set reasonable and necessary fees for applicants and license holders for application, examination, licensure and license renewal. May charge an administrative penalty not to exceed \$100 for each violation (collected under Revenue Object 3770).	2001 by S.B. 405, 77th Leg. R.S.	TEX. OCC. CODE ANN. sec. 1002.452, sec. 1002.152	481 - Texas Board of Professional Geoscientists	0001 - General Revenue Fund
<b>Guardianship</b>	An application fee submitted by an individual applying for certification to provide guardianship services for wards of the court. The Judicial Branch Certification Commission, administratively attached to the Office of Court Administration may set the fee.	2005 by S.B. 6, 79th Leg. R.S.	TEX. GOV'T CODE ANN. sec. 155.102	212 - Office of Court Administration	0001 - General Revenue Fund
<b>Handgun Instructor</b>	The Department shall charge fees for certification of qualified handgun instructors: <ul style="list-style-type: none"> <li>• \$100 fee for handgun instructor training. (411.190)</li> <li>• \$100 renewal fee plus a retraining course every two years. (411.190)</li> <li>• A fee established by the Department sufficient to cover costs for an additional certification in school safety. (411.1901)</li> </ul>	September 1, 1995 by S.B. 60, 74th Leg. R.S.	TEX. GOV'T CODE ANN. sec. 411.190, sec. 411.1901	405 - Department of Public Safety	0001 - General Revenue Fund
<b>Health Service Providers Registry Fees</b>	The Department is authorized to establish a registry or system of registries for providers of health-related services not otherwise licensed, registered or certified by a state agency, board or commission. The Board of Health may adopt registration fees to cover costs of establishing and maintaining a registry and may adopt rules as necessary for administration.	September 1989 by H.B. 2473, 71st Leg. R.S.	TEX. HEALTH & SAFETY CODE ANN. sec. 12.014	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501)	0001 - General Revenue Fund
<b>Hearing Instrument Fitters and Dispensers</b>	To record fees for regulating hearing instrument fitters and dispensers. The commission shall set fees in amounts to cover costs of administration for applications, licenses, permits, renewals, examinations and other programs or activities for which a fee is authorized.  Fees to renew expired licenses are between 1-1/2 to 2 times the normally required renewal fee.  Related Administrative and Civil Penalties  Administrative penalties may be assessed not to exceed \$250 plus costs for first violation and \$1,000 plus costs for subsequent violations. (collected under Revenue Object 3770).  Civil penalties may be assessed not to exceed \$5,000 per day. (collected under Revenue Object 3717).	January 1, 1970 by the 61st Leg.	TEX. OCC. CODE ANN. sec. 51.401, sec. 51.202, sec. 402.551, sec. 402.553, sec. 402.203, sec. 402.207, sec. 402.251, sec. 402.301	452 - Texas Department of Licensing and Regulation (formerly Department of State Health Services, agency 537; Texas Department of Health, agency 501 - State Commission on Examiners in the Fitting and Dispensing of Hearing Aids; Board of Examiners for Hearings Aids, agency 509)	0001 - General Revenue Fund (formerly to the Hearing Aids Fund No. 0087)
<b>Identity Recovery Service Contract Providers/Administrators</b>	An identity recovery service provider must report quarterly the number of service contracts that were sold or issued to consumers in the state and must submit a \$1 fee for each contract.	2009 by S.B. 778, 81st Leg. R.S.	TEX. OCC. CODE ANN. sec. 1304.1035	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Industrial Homework</b>	(1) Each person who does any manufacturing in a home of materials or articles for an employer must obtain a Homeworker's Certificate; the fee is NTE \$.50.  (2) Each employer for whom industrial homework is performed must obtain an Employer's Permit, the fee is \$50 before delivering materials for homework.	1937 by 45th Leg.	TEX. HEALTH & SAFETY CODE ANN. sec. 143.003, sec. 143.006	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501)	0001 - General Revenue Fund

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Interior Design</b>	<p>The Board shall set the following fees in amounts reasonable and necessary to cover the costs of administration to register a person in interior design:</p> <ul style="list-style-type: none"> <li>• Registration application fee</li> <li>• Annual registration renewal fee</li> <li>• Reciprocal registration fee</li> <li>• Examination fee</li> <li>• Duplicate Registration Certificate</li> <li>• Roster of interior designers</li> <li>• Restoration of revoked or suspended certificate</li> <li>• Renewal of expired certificate</li> <li>• Restore license on inactive status</li> <li>• Interior Designer Emeritus administration and renewal fee</li> </ul> <p>Board may assess an administrative penalty based on the seriousness of the violation (collected under Revenue Object 3770).</p>	September 1, 1991 by S.B. 429, 72nd Leg. R.S.	TEX. OCC. CODE ANN. sec. 1053.052, sec. 1053.251	459 - Texas Board of Architectural Examiners	An account with the Texas Safekeeping Trust Company.
<b>Interpreters for Persons who are Deaf or Hard of Hearing</b>	<p>To record fees for examinations, certificate renewal and recertification for interpreters who facilitate communication between persons who are deaf or hard of hearing and persons who are not. Fees are set by the executive commissioner by rule to cover the costs of the certification program.</p> <p>Fees to renew expired certificates are between 1-1/4 to 1-1/2 times the normally required renewal fee.</p>	1979 by H.B. 1521, 66th Leg.	TEX. HUM. RES. CODE ANN. sec. 81.006, sec. 81.007, sec. 81.0071, sec. 81.0074	538 - Department of Assistive and Rehabilitative Services (formerly Texas Commission for Deaf and Hearing Impaired, Agency 335, Board for Evaluation of Interpreters)	0001 - General Revenue Fund
<b>Irrigators and Installers</b>	In order to be licensed as an irrigator or installer, a person must be licensed under Water Code Ch. 37. License fees and requirements set by the Commission. Renewal fee is 1.5 times the regular fee if the license was expired 30 days or less. Over 30 days and a new license application is required.	1973 by 63rd Leg. R.S.	<p>TEX. WATER CODE ANN. sec. 37.009, sec. 37.006</p> <p>TEX. OCC. CODE ANN. sec. 1903.251</p>	582 - Texas Commission on Environmental Quality (formerly the Texas Natural Resources Conservation Commission, Agency 582) (formerly the Texas Board of Irrigators, abolished Sept. 1, 1992 by S.B. 2, 72nd Leg. 1st C.S.).	0468 - GR Account - Texas Commission On Environmental Quality Occupational Licensing
<b>Land Surveyors</b>	<p>Fees for each person before acting as a land surveyor at a rate set by the Board in amounts necessary to cover administration for: application, examination, annual renewal, duplicate certificate, certificate to applicant (out of state licensed), re-exam (inactive status) and professional land surveyor.</p> <p>License expired 90 days or less -- pay renewal fee plus 1/2 amount of exam fee; more than 90 days -- renewal fees plus amount of exam fee; over 1 year -- must reapply.</p> <p>Includes civil penalties up to \$1,500 (collected under Revenue Object 3717). Administrative penalties up to \$1,500 per violation (collected under Revenue Object 3770).</p>	1955 by the 54th Leg.	TEX. OCC. CODE ANN. sec. 1071.158, sec. 1071.262, sec. 1071.301, sec. 1071.303, sec. 1071.452, sec. 1071.503	464 - Texas Board of Professional Land Surveying	0001 - General Revenue Fund



APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Landscape Architects</b>	<p>The board sets registration fees (including reciprocal registration) for landscape architects paid before engaging in business. Annual renewal fees are set by the board and are 1 1/2; times normal if the license is expired for 90 days or less. Twice the normal fee for 90 day to 1 year.</p> <p>Board may set fee for any action involving an administrative expense in amounts reasonable and necessary unless otherwise set by the General Appropriations Act.</p> <p>May assess up to \$10 for administering the examination fee scholarship program. May charge a fee for landscape architect emeritus status on certificate of registration.</p> <p>Board may assess administrative penalty (collected under Revenue Object 3770) up to \$5,000.</p>	September 1, 1969 by H.B. 111, 61st Leg.	TEX. OCC. CODE ANN. ch. 1052, sec. 1051.452	459 - Texas Board of Architectural Examiners	An account with the Texas Safekeeping Trust Company.
<b>Law Enforcement</b>	<p>(1) Commission shall establish reasonable and necessary fees for the licensing of peace officers, county jailers and guards, reserve law enforcement officers, armed security officers, and peace officers who utilize investigative hypnosis. Fees are for licenses, agency commission licenses, professional or proficiency certificates, examinations, approval of training programs, license reactivation, etc. (1701.154).</p> <p>(2) May assess administrative penalties NTE \$1,000 per day per violation (1701.507). Collected under Revenue Object 3770.</p> <p>(3) Commission shall charge each school marshal trainee a reasonable fee to cover the cost of conducting the program. The commission shall charge a reasonable fee to cover the cost of renewing the person's license (1701.260).</p>	1983 by S.B. 155, 68th Leg. R.S.	TEX. OCC. CODE ANN. sec. 1701.154, sec. 1701.507, sec. 1701.260	407 - Texas Commission on Law Enforcement	0001 - General Revenue Fund  0116 - GR Account - Texas Commission on Law Enforcement
<b>Lawyer Referral Services</b>	An entity must be certified by the state bar to operate a lawyer referral service. May charge reasonable and necessary fees to cover costs.	1993 by H.B. 1926, 73rd Leg. R.S.	TEX. OCC. CODE ANN. sec. 952.052	202 - State Bar of Texas	Retained locally.
<b>Legal Service Contract Sales</b>	<p>A person may not operate as a company or sales representative of legal service contracts sold in this state for process unless registered with this department. A tiered fee schedule shall be developed of annual registration fees based on the number of legal service contracts sold during the preceding 12-month period set in amounts to cover administration. In addition, each company shall pay an annual fee equal to the difference between 1.7% of the amount a company collects for contracts sold in the current year and the amount the company paid in state franchise taxes during the same year.</p> <p>New license status of inactive, temporary and emergency, fees set by the department.</p>	2003 by S.B. 597, 78th Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.4011, sec. 51.407, sec. 51.408, sec. 953.053	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Life Settlement Contracts</b>	An individual corporation, trust, partnership, association or other legal entity engaging in the business of life settlement contracts shall pay a registration fee set by the Department of Insurance.	September 1, 1995 by H.B. 2256, 74th Leg. R.S.	TEX. INS. CODE ANN. sec. 1111A.003	454 - Texas Department of Insurance	0001 - General Revenue Fund
<b>Lobbyist Registration</b>	<p>A fee is charged for original registration and renewal of registration required of all lobbyists. Registration expires at midnight, December 31, of each year. Fees are charged as follows:</p> <ul style="list-style-type: none"> <li>• \$75 for any person required to register solely because the person is required to register under sec. 305.0041,</li> <li>• \$150 for a registrant employed by an organization exempt from federal income tax under Sections 501 (c)(3,4) IRS Code of 1986 or</li> <li>• \$750 for any other registrant.</li> </ul> <p>* A registration fee for calendar years 2004 and 2005 is increased by an amount needed to generate revenue necessary to develop and implement an electronic filing system.</p>	1987 by S.B. 1081, 70th Leg. R.S.	TEX. GOV'T CODE ANN. sec. 305.005	356 - Texas Ethics Commission (formerly by the Secretary of State, Agency 307)	0001 - General Revenue Fund (formerly to the State Ethics Fund Account (No. 0104), abolished August 31, 1995 per § 403.094, Government Code. Prior to that, to the Lobbyist Registration Fund (No. 0592).)



APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Marriage and Family Therapists</b>	<p>To record fees for licenses, renewals, examinations and removal from inactive status of marriage and family therapists and marriage and family therapist associates. Fees are set by the board in amounts to recover costs of administration and enforcement. The board may not set a fee for an amount less than the amount of that fee on September 1, 1993.</p> <p>Fees to renew expired licenses are between 1-1/4 to 1-1/2 times the normally required renewal fee.</p> <p>Related Administrative and Civil Penalties</p> <p>Administrative penalties may be assessed not to exceed \$5,000 per day per violation. (collected under Revenue Object 3770).</p> <p>Civil penalties may be assessed not to exceed \$1,000 per day. (collected under Revenue Object 3717).</p>	1991 by S.B. 181, 72nd Leg. R.S.	TEX. OCC. CODE ANN. sec. 502.153, sec. 502.301, sec. 502.402, sec. 502.252, sec. 502.254, sec. 502.256, sec. 502.257, sec. 502.260, sec. 502.302, sec. 502.453	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501, Texas State Board of Examiners of Marriage and Family Therapists)	0001 - General Revenue Fund (formerly to the Marriage and Family Therapists Licensing Account, abolished August 31, 1995 per § 403.094, Government Code)
<b>Massage Therapy</b>	<p>To record fees for regulation of message therapists, massage schools, massage therapy instructors and message establishments. Fees are set by the executive commissioner by rule. Fees charged for applications, licenses and renewals.</p> <p>Fees to renew expired licenses are between 1-1/2 to 2 times the normally required renewal fee.</p> <p>Related Administrative and Civil Penalties</p> <p>Administrative penalties may be assessed not to exceed \$1,000 per violation per day. (collected under Revenue Object 3770).</p> <p>Civil penalties may be assessed not less than \$1,000 or more than \$10,000 per violation per day. (collected under Revenue Object 3717).</p>	1985 by H.B. 2012, 69th Leg. R.S.	TEX. OCC. CODE ANN. sec. 455.153, sec. 455.160, sec. 455.302, sec. 455.351, sec. 455.1572, sec. 455.161	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501)	0001 - General Revenue Fund
<b>Medical Physicists</b>	<p>To record fees for regulation of medical physicists. Fees are set by the medical board in amounts to recover costs of administration for license applications and renewals.</p> <p>Penalty fees charged in addition to renewal fee for expired licenses are equal to 1/2 to 1 times the normally required renewal fee.</p> <p>Related Administrative and Civil Penalties</p> <p>Administrative penalties may be assessed not to exceed \$500 per violation per day up to \$2,500. (collected under Revenue Object 3770).</p> <p>Civil penalties may be assessed not to exceed \$5,000 per day. (collected under Revenue Object 3717).</p>	1991 by S.B. 521, 72nd Leg. R.S.	TEX. OCC. CODE ANN. sec. 602.203, sec. 602.210, sec. 602.151, sec. 602.211, sec. 602.213, sec. 602.351, sec. 602.3015	503 - Texas Medical Board (formerly Department of State Health Services, agency 537; Texas Department of Health, agency 501)	0001 - General Revenue Fund
<b>Membership Camping Contracts</b>	No person shall offer or dispose of a membership interest or membership right under a membership camping contract in this state unless the operator is registered. If an operator also sells membership camping contracts, that operator must also comply with the registration requirements for brokers. Each application for registration as a seller or broker must be accompanied by a fee set by the Secretary of State in amounts reasonable and necessary to cover the costs of administration.	1987 by H.B. 49, 70th Leg. R.S.	TEX. PROP CODE ANN. sec. 222.004	307 - Secretary of State	0001 - General Revenue Fund
<b>Metal Recycling Entity</b>	A person may not act as a metal recycling entity unless registered. Annual fee for issuance of certificate of registration, NTE \$250. Renewal fees: if expired 90 days or less, 1-1/2 times renewal fee; if expired more than 90 days but less than 1 year, 2 times renewal fee; if expired more than 1 year, must reapply.	2007 by S.B. 1154, 80th Leg. R.S.	TEX. OCC. CODE ANN. ch. 1956	405 - Department of Public Safety	0001 - General Revenue Fund
<b>Mold Assessors/Remediators</b>	The executive commissioner shall establish fees in amounts sufficient to recover costs of administering and enforcing the Chapter. Includes administrative penalties not to exceed \$15,000 per violation per day (collected under Revenue Object 3770) and civil penalties not to exceed \$2,000 for the first violation and \$10,000 for a second or later violation (collected under Revenue Object 3717).	2003 by H.B. 329, 78th Leg. R.S.	TEX. OCC. CODE ANN. sec. 1958.055, sec. 1958.301, sec. 1958.252	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501)	0001 - General Revenue Fund

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Mortgage Banker/ Mortgage Broker/ Loan Officer</b>	<p>Residential Mortgage Loan Company license and renewal fees in an amount NTE \$375. Recovery fund fee of \$20.</p> <p>Residential Mortgage Loan Originator license and renewal fees in an amount NTE \$375. Recovery fund fee of \$20.</p> <p>Mortgage Banker registration and administration fee and renewal fee NTE \$500 per year.</p> <p>Additional fees include: Residential mortgage loan company change of address fee is \$25; mortgage loan company sponsor of loan originator, a fee of \$25; multiple places of business, \$50 for each additional license certificate.</p> <p>Registered Financial Services Company annual registration fee, the lesser of 1/2 of a residential mortgage loan originator fee times the number of agents or \$200,000 or more depending on total number of exclusive agents.</p> <p>Residential Mortgage Loan Originator (annual and renewal) application fees NTE \$500; recovery fee NTE \$20; reinstatement fee \$25; hearing deposit \$500; probationary and Provisional licenses set by Commission.</p> <p>Residential Mortgage Loan Servicers for residential mortgage loan must pay a registration and renewal fee NTE \$500 as determined by the Finance Commission.</p> <p>Administrative penalties collected under Revenue Object 3770.</p>	September 1, 1999 by S.B. 1074, 76th Leg. R.S.	TEX. FIN. CODE ANN. ch. 156, ch. 157, sec. 158.053, sec. 158.058	450 - Department of Savings and Mortgage Lending	Deposited to account in Texas Safekeeping Trust Company.
<b>Motor Vehicle Repair Facilities</b>	A repair facility (engaging in repairing or replacing a damaged motor vehicle) shall register with the Commission annually. Fees required are: registration or renewal of registration -- \$50 and replacement of lost or destroyed certificate -- \$25.	1993 by H.B. 2564 73rd Leg. R.S. effective January 1, 1994	TEX. OCC. CODE ANN. sec. 2304.053, sec. 2304.055	582 - Texas Commission on Environmental Quality (formerly the Texas Natural Resource Conservation Commission, Agency 582)	0001 - General Revenue Fund
<b>Notary Public</b>	<p>A fee of \$10 charged for each notary public commission.</p> <p>Fee of \$1 for exclusive purpose of hiring an investigator and for preparing and distributing material.</p> <p>A fee of \$10 for approving and filing the bond of the notary public. (Added by S.B. 681, 69th Leg. R.S.)</p>	1881 by the 17th Leg. R.S. (ch. 82, p.186)	TEX. GOV'T CODE ANN. sec. 406.007	307 - Secretary of State	0001 - General Revenue Fund
<b>Occupational Therapy</b>	<p>Fees for the regulation of occupational therapists and occupational therapist assistants are prescribed by the Executive Council of Physical Therapy and Occupational Therapy Examiners, Agency 533 and include license applications, renewal, late endorsement and temporary fees. Fees that existed September 1, 1993 may not be set in an amount less than the amount of the fee on that date. \$1 per license may be collected for the peer assistance program. (H.B. 900, 69th Leg. R.S.) Late fees before 90 days are renewal fee plus 1/2 exam fees. Late fees for 90 days - 1 year late are renewal fee plus amount equal to exam fee. May receive administrative fines and penalties assessed against facilities or license holders for violations of the Texas Occupational Therapy Act, up to \$200 (collected under Revenue Object 3770). Civil penalties are \$200 for each day violation continues (collected under Revenue Object 3717). Each day is a separate violation.</p> <p>Initial license or registration fee increased by \$5 and renewal by \$1, effective by September 1, 2003.</p>	September 1, 1983 by S.B. 1213, 68th Leg. R.S.	TEX. OCC. CODE ANN. sec. 101.307, sec. 454.104, sec. 454.252, sec. 454.353	533 - Executive Council of Physical and Occupational Therapy Examiners for Texas Board of Occupational Therapy Examiners, Agency 534 (formerly the Texas Rehabilitation Commission, Agency 330)	0001 - General Revenue Fund (formerly to the Occupational Therapy Licensing Fund (No. 0496), amended by S.B. 300, 69th Leg. R.S.)

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Optometry</b>	<p>Fees charged a person practicing optometry established by Board, including exam, re-exam, issue, renewal, duplicate license and other acts or services provided by Board. Board may not set fee for less than the amount of that fee on September 1, 1993. Late, fee: 90 days or less -- renewal fee plus 1/2 license exam fee plus additional fee required; 91 days - 1 year -- renewal fee plus license exam fee plus additional fee required. Over 1 year, may not renew, must reapply.</p> <p>Initial license or registration fee increased by \$5 and renewal by \$1, effective September 1, 2003.</p> <p>A license holder on retired status must pay a fee equal to the renewal fee for a license on the inactive status and may apply for reinstatement by paying the renewal fee.</p>	1921 by the 37th Leg.	TEX. OCC. CODE ANN. sec. 101.307, sec. 351.152, sec. 351.154, sec. 351.304	514 - Texas Optometry Board	<p>0001 - General Revenue Fund</p> <p>5% of renewal fees forwarded to the University of Houston Development Fund, which is held locally.</p>
<b>Orthotists and Prosthetists</b>	<p>To record fees for the regulation of orthotists and prosthetists including assistants and technicians. The commission shall set fees in amounts to cover costs of administration for applications, licenses, renewals, examinations and other programs or activities for which a fee is authorized.</p> <p>Fees to renew expired licenses are between 1-1/2 to 2 times the normally required renewal fee.</p> <p>Related Administrative and Civil Penalties</p> <p>Administrative penalties may be assessed between \$50 and \$5,000 for each violation. Each day of continuance is a separate violation. (Collected under Revenue Object 3770).</p> <p>Civil penalties may be assessed at \$200 for the first violation and \$500 for each subsequent violation. (Collected under Revenue Object 3717).</p>	September 1, 1997 by S.B. 291, 75th Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.401, sec. 51.202, sec. 605.354, sec. 605.402, sec. 605.252, sec. 605.255, sec. 605.259	452 - Texas Department of Licensing and Regulation (formerly Department of State Health Services, agency 537; Texas Department of Health, agency 501)	0001 - General Revenue Fund
<b>Pesticide Applicator for Health Related Pest Control</b>	Fees charged a person desiring to be a pesticide applicator for control of health related pests (except structural pest control). Commercial and non-commercial applicator fees, private applicator fees, testing fees for commercial/non-commercial applicators set by agency head.	1976 by the 64th Leg.	TEX. AGRIC. CODE ANN. sec. 76.106, sec. 76.108, sec. 76.109	557 - Texas A&M Veterinary Medical Diagnostic Laboratory (formerly Department of State Health Services, Agency 537, Texas Department of Health, Agency 501)	0001 - General Revenue Fund

## APPENDIX E (continued)

### State Professional Fees Detail as of Fiscal 2016

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Pharmacy</b>	<p>Fees charged for regulation of pharmacists, technicians, technician trainees and pharmacies. Set by the Board in amounts reasonable and necessary to cover costs of administration for:</p> <ul style="list-style-type: none"> <li>• Application and exam.</li> <li>• Application and issue of pharmacist license or renewal.</li> <li>• Application and issue of pharmacy license or renewal Class A, B, C, D.</li> <li>• Duplicate license fee.</li> <li>• License for a pharmacist licensed by the Board for at least 50 years and who does not actively practice pharmacy.</li> <li>• Provisional license.</li> </ul> <p>A late fee equal to 1-1/2 times normal renewal fee is assessed if the license is expired 90 days or less. 91 day or more must reapply.</p> <p>The Board may assess a \$1,000 civil penalty (collected under Revenue Object 3717) on those unlawfully engaging in the practice of pharmacy, and an administrative penalty (collected under Revenue Object 3770) up to \$5,000 for each violation of pharmacy-related statute or rules.</p> <p>The Board may add a surcharge of not more than \$1 to a license or license renewal fee to fund programs to aid impaired pharmacists or pharmacy students).</p> <p>Initial license or registration fee increased by \$5 and renewal by \$1, effective September 1, 2003.</p>	1929 by the 41st Leg. first brought into Treasury September 1, 1985.	TEX. OCC. CODE ANN. sec. 101.307, sec. 554.006, sec. 559.003, sec. 561.003, sec. 566.002, sec. 566.101	515 - Texas State Board of Pharmacy	<p>0001 - General Revenue Fund</p> <p>License fees deposited locally. Amounts to cover expenses transferred to the General Revenue Fund (No. 0001) (formerly to GR Account -- Pharmacy Board Operating (No. 0523)).</p>
<b>Physical Therapy</b>	<p>The Board of Physical Therapy Examiners, Agency 522 may recommend to the Executive Council on Physical Therapy and Occupational Therapy Examiners, Agency 533, reasonable and necessary fees for licenses issued or services performed so that aggregate fees produce sufficient revenue to cover administration. The Board may not recommend a fee for an amount less than the amount of that fee on September 1, 1993.</p> <p>The Executive Council shall set fees. Late fee, under 90 days, is renewal fee plus no more than 1/2 the exam fee. For over 90 days to 1 year, it is the renewal fee plus no more than the exam fee. May receive administrative fines and penalties assessed against facilities or license holders for violation of the Texas Physical Therapy Practice Act.</p> <p>* Initial license or registration fee increased by \$5 and renewal by \$1, effective September 1, 2003.</p>	1971 by the 62nd Leg.	TEX. OCC. CODE ANN. sec. 101.307, sec. 453.104, sec. 453.252	533 - Executive Council of Physical and Occupational Therapy Examiners for Board of Physical Therapy Examiners, Agency 522	0001 - General Revenue Fund
<b>Plumbers</b>	<p>(1) Board shall establish fees for licensing, endorsing or registering master plumbers, journeymen plumbers and plumbing inspectors, in amounts sufficient to pay costs of administering certification program NTE \$150 a year. Provisional license issued for a fee necessary to cover cost of issue.</p> <p>(2) The Board may issue to a master or journeyman plumber an endorsement as a water supply protection specialist. Fees shall be established by the Board. (Added by S.B. 813, 73rd Leg. R.S.)</p> <p>(3) The board may issue an endorsement to a master or journeyman plumber as a multipurpose residential fire protection sprinkler specialist upon payment of a fee set by the board. See R/C 3175 (Fire Protection Sprinkler Systems).</p> <p>Renewal fees: 90 days or less - 1 1/2 times of the normal renewal fee; 90 days but less than 2 years - 2 times of the normal renewal fee; over 2 years - may not renew; must reapply.</p>	1947, brought into Treasury September 1, 1981 by S.B. 851, 67th Leg. R.S.	TEX. OCC. CODE ANN. ch. 1301	456 - Texas State Board of Plumbing Examiners	<p>0001 - General Revenue Fund (formerly to the Plumbing Examiners Fund Account (No. 0077), abolished August 31, 1995 per § 403.094, Government Code)</p>

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Podiatry</b>	<p>The Board shall establish reasonable and necessary fees for the regulation of podiatrists in amounts to produce sufficient revenue to cover administration. Fees may be adjusted but a fee may not be set for an amount less than the amount of that fee on September 1, 1993. Included are fees for:</p> <ul style="list-style-type: none"> <li>• Examination</li> <li>• Re-examination</li> <li>• License renewal</li> <li>• Duplicate license</li> </ul> <p>Late fees:</p> <p>90 days or less -- 1-1/2 times renewal exam fee;  91 days - 1 year -- 2 times renewal fee.</p> <p>Administrative penalty NTE \$5,000 per day (collected under Revenue Object 3770). Initial license or registration fee increased by \$5 and renewal by \$1, effective September 1, 2003.</p>	1923, first brought into Treasury September 1, 1981 by S.B. 866, 67th Leg. R.S.	TEX. OCC. CODE ANN. sec. 101.307, sec. 202.153, sec. 202.301, sec. 202.552	512 - Texas State Board of Podiatric Medical Examiners	0001 - General Revenue Fund (formerly to the Podiatry Examiners Fund Account (No. 0130), abolished August 31, 1995 per § 403.094 Government Code)
<b>Polygraph Examiners</b>	Fees for polygraph examiner license, internship license, license renewals, and examinations set by the Texas Department of Licensing and Regulation.	1965 by S.B. 97, 59th Leg.	TEX. OCC. CODE ANN. sec. 51.202, sec. 1703.202, sec. 1703.208, sec. 1703.252	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Private Investigators and Security</b>	<p>To record fees for licenses, registrations, endorsements, and commissions under TEX. OCC. CODE ANN. Chapter 1702 including investigations companies, security services contractors, certain security officers, and individuals employed in a field connected to private investigation or private security.</p> <p>The Texas Private Security Board by rule shall establish fees to produce sufficient revenue for administration without producing unnecessary fund balances.</p> <p>Renewal fees for expired licenses are between 1-1/2 to 2 times the normally required renewal fee.</p> <p>Related Civil and Administrative Penalties</p> <p>Administrative penalties may be assessed not to exceed \$5,000 per violation (collected under revenue object 3770).</p> <p>Civil penalties may be assessed not to exceed \$10,000 per violation (collected under revenue object 3717).</p>	1969 by the 61st Leg.	TEX. OCC. CODE ANN. sec. 1702.062, sec. 1702.302, sec. 1702.303, sec. 1702.381, sec. 1702.402	405 - Department of Public Safety (formerly the Texas Commission on Private Security, Agency 467);	0001 - General Revenue Fund
<b>Probation Officer</b>	Fees for certification examination of juvenile probation officers.	1987 by the 70th Leg. R.S.	TEX. HUM. RES. CODE ANN. sec. 203.0082, sec. 222.001	644 - Texas Juvenile Justice Department (Formerly Texas Juvenile Probation Commission, Agency 665)	0001 - General Revenue Fund
<b>Process Server</b>	The process server review board may recommend fees for process server certification. Fees must be approved by the Supreme Court. Fees may be appropriated to the Office of Court Administration for support of regulatory programs for process servers, guardians and court reporters and the certification division.	2011 by H.B. 1614, 82nd Leg. R.S.	TEX. GOV'T CODE ANN. sec. 156.052	212 - Office of Court Administration	0001 - General Revenue Fund

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Professional Counselors</b>	<p>To record fees required of professional counselors. Board shall establish reasonable fees to produce sufficient revenue to cover administration and enforcement without accumulating unnecessary surpluses. The Board may not set a fee for amount less than the amount of that fee on September 1, 1993.</p> <p>Fees to renew expired licenses are between 1-1/4 to 1-1/2 times the normally required renewal fee.</p> <p>Administrative penalties may be assessed between \$50 and \$5,000 per violation per day (collected under Revenue Object 3770). Each day of continuance is a separate violation.</p>	September 1, 1981 by S.B. 606, 67th Leg. R.S.	TEX. OCC. CODE ANN. sec. 503.202, sec. 503.351, sec. 503.354, sec. 503.502	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501, Texas State Board of Examiners of Professional Counselors)	0001 - General Revenue Fund (formerly to the Professional Counselors Licensing Fund Account (No. 0139), abolished August 31, 1995 per \$ 403.094 Government Code)
<b>Professional Employer Organizations</b>	<p>A person may not engage in or offer professional employment services without holding a license. Each applicant for original or annual renewal license shall pay a fee set by department rule. Reasonable fees may be charged for administration and enforcement responsibilities. A license holder may amend its license for a fee set by the department. Limited license valid for one year.</p> <p>New license status of Inactive, Temporary and Emergency, fees set by the department.</p>	1993 by H.B. 456, 73rd Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.4011, sec. 51.407, sec. 51.408  TEX. LAB. CODE ANN. sec. 91.015, sec. 91.016, sec. 91.017, sec. 91.018, sec. 91.019, sec. 91.021	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Professional Engineers</b>	<p>Fees charged each professional engineer at a rate set by the Board in amounts reasonable and necessary to cover the costs of administration. Renewal of expired license 90 days or less -- required renewal fee and applicable fees. More than 90 days but less than 2 years -- required renewal fee, a late fee and any fee increases. Over 2 years -- may not renew; must reapply.</p> <p>Board may adopt reduced license and annual renewal fees for engineers at least 65 years old or who are disabled and not actively engaged in the practice of engineering. Board may impose administrative penalty against a person in violation of the Act NTE \$5,000 (collected under Revenue Object 3770). Each day a violation continues is a separate penalty.</p>	1937 by the 45th Leg.	TEX. OCC. CODE ANN. sec. 1001.204, sec. 1001.502	460 - Texas Board of Professional Engineers	With the Texas Safekeeping Trust Company.
<b>Property Tax Consultants</b>	<p>Applicants shall pay nonrefundable application examination registration fees to register as a property tax consultant, or senior property tax consultant in amounts set by the Commission.</p> <p>New license status of inactive, temporary and emergency, fees set by the department.</p>	September 1, 1991 by S.B. 773, 72nd Leg. R.S.	TEX. OCC. CODE ANN. ch. 1152, sec. 51.4011, sec. 51.407, sec. 51.408	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Psychologists</b>	<p>Fees established by Board rule in amounts reasonable and necessary to cover administrative costs. Board may adjust fees, but may not set a fee for an amount less than the amount of that fee on 9-1-93.</p> <p>Late renewal before 90 days is renewal fee plus 1/2 exam fee. 90 days - 1 year is renewal fees plus exam fee. Administrative penalty NTE \$1,000 per violation (collected under Revenue Object 3770). Civil penalty is \$1,000 for each day of violation (collected under Revenue Object 3717).</p> <p>Initial license or registration fee increased by \$5 and renewal by \$1, effective September 1, 2003.</p>	1969 by the 61st Leg.	TEX. OCC. CODE ANN. sec. 101.307, sec. 501.152, sec. 501.452, sec. 501.502	520 - Texas Board of Examiners of Psychologists	0001 - General Revenue Fund

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Real Estate</b>	Real estate brokers and sales agent fees	1939 by the 47th Leg.	TEX. OCC. CODE ANN. sec. 1101.152, sec. 1101.154, sec. 1101.451, sec. 1101.457, sec. 1101.603, sec. 1101.702, sec. 1101.3015, sec. 1102.251, sec. 1102.352, sec. 1103.156, sec. 1103.2111, sec. 1103.209, sec. 1103.212, sec. 1103.552	329 - Texas Real Estate Commission	An account with the Texas Safekeeping Trust Company.
	<p>TEX. OCC. CODE ANN. 1101.152:</p> <p>(1) Original, renewal application or annual certification for individual real estate broker license.</p> <p>(2) Original, renewal application or annual certification of a real estate sales agent.</p> <p>(3) Examination Fee.</p> <p>(4) License for each branch office.</p> <p>(5) Request for change of place of business, name or sponsoring broker or return to active status.</p> <p>(6) Duplicate license.</p> <p>(7) Application for approval of a real estate education program and operation of a real estate school.</p> <p>(8) Transcript evaluation.</p> <p>(9) A fee for preparing a license or registration history.</p> <p>(10) Fee for filing an application for a moral character determination and conducting a criminal history check.</p> <p>(11) Application for approval of course of study, provider or instructor of real estate continuing education courses.</p> <p>1101.457</p> <p>(12) Fee for deferral of continuing education.</p> <p>1101.154</p> <p>(13) Additional \$20 fee to be sent to the Texas Real Estate Research Center, Texas A&amp;M University on every sales agent license or certificate registration. Fee for brokers is \$70.</p> <p>1101.603</p> <p>(14) Additional \$10 fee for each broker, sales agent, and registrant license for deposit to the Real Estate Recovery Fund 0971 (outside the state treasury). If the commission determines the fund balance is less than \$1 million, it may levy an additional fee.</p> <p>Inspector fees</p> <p>TEX. OCC. CODE ANN. 1102.251:</p> <p>(15) Application and renewal for apprentice inspector license.</p> <p>(16) Application and renewal for real estate inspector.</p> <p>(17) Application and renewal for professional inspector license.</p> <p>(18) Inspector change of place of business information.</p> <p>(19) Inspector replacement license.</p> <p>(20) Request for name change, return to actual status or change in sponsoring professional inspector.</p> <p>(21) Inspector license examination fee.</p> <p>1102.352</p> <p>(22) Additional inspector license fee of \$200 for deposit to Real Estate Inspection Recovery Fund 0988 (outside the state treasury). The commission may charge each inspector an additional \$75 if the fund balance falls below \$300,000.</p> <p>Appraiser fees</p> <p>TEX. OCC. CODE ANN. 1103.156:</p> <p>(23) Appraiser application for license/certification and annual renewal fee.</p> <p>(24) Appraiser examination fee.</p> <p>(25) Appraiser trainee application and renewal fee.</p> <p>(26) Non-resident appraiser registration fee.</p> <p>(27) Appraiser registry fee up to the amount required by the appraisal subcommittee.</p> <p>(28) Appraiser return to active status.</p>				



## APPENDIX E (continued)

### State Professional Fees Detail as of Fiscal 2016

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Real Estate (continued)</b>	<p>1103.209 (29) Fee and form for reciprocity submitted by appraiser from another state must be comparable that required by certifying state.</p> <p>1103.212 (30) Appraiser extension to complete continuing education.</p> <p>Other fees</p> <p>1101.451 and 1103.2111 (31) The renewal fee for a license expired 90 days or less is 1.5 times the regular renewal fee. For a license , the licensee must pay a fee equal to 1-1/2 times required renewal fee; if expired more than 90 days but less than 1 year, 2 times the renewal fee.</p> <p>1101.702 and 1103.552 (32) Commission may charge administrative penalties up to \$5,000 per violation (collected under Revenue Object 3770).</p>				
<b>Related Finance Company</b>	A person in which at least 80% of ownership is identical to ownership of an automotive dealer is a related finance company. The comptroller shall establish a registration system for related finance companies. The company may register annually and the comptroller may charge a fee NTE \$1,500 per year.	2007 by S.B. 1617, 80th Leg. R.S.	TEX. TAX CODE ANN. sec. 152.0475	902 - Comptroller - State Fiscal	0001 - General Revenue Fund
<b>Salvage Dealers/ Agents</b>	A person may not act as an automobile recycler or salvage vehicle dealer without a license. Application must be accompanied by an application fee. License may be renewed annually by payment of the required renewal fees. Fees set by Commission to cover cost of administration. No more than 5 individuals may operate as licensed salvage vehicle agents under a dealer's license on payment of required fee. If license has expired, the person may renew by paying the following fees: 90 days or less -- 150% of renewal fee, 91 days to one year -- 200% of the renewal fee, one year or longer -- may not renew, must obtain original license.	September 1, 1995 by H.B. 2599, 74th Leg. R.S.	TEX. OCC. CODE ANN. ch. 2302	608 - Texas Department of Motor Vehicles (formerly Texas Department of Transportation, Agency 601)	0001 - General Revenue Fund
<b>Sanitarians</b>	<p>To record fees charged for regulating sanitarians. Fees are set by the executive commissioner for registrations, renewals, and examinations for professional sanitarians and sanitarians in training in amounts to cover costs of administration and enforcement.</p> <p>Administrative penalties may be assessed between \$50 and \$5,000 per violation per day. (collected under Revenue Object 3770).</p>	1965 by S.B. 333, 59th Leg.	TEX. OCC. CODE ANN. sec. 1953.052, sec. 1953.104, sec. 1953.105, sec. 1953.151, sec. 1953.302, sec. 1953.106	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501)	0001 - General Revenue Fund (formerly to the Sanitarians Registration and License Fund Account (No. 0033), abolished August 31, 1995 per § 403.094 Government Code)
<b>Securities Act</b>	<p>A fee up to \$100 for filing the following:</p> <ul style="list-style-type: none"> <li>• An original application for dealer or investment adviser registration or filing for a federal covered investment adviser.</li> <li>• A renewal application for dealer or investment adviser registration or renewal for a federal covered investment adviser.</li> <li>• An original application for each agent, officer, or investment adviser representative or filing for each representative of a federal covered investment adviser.</li> <li>• A renewal application for each agent, officer, or investment adviser representative or renewal for each representative of a federal covered investment adviser.</li> </ul> <p>\$25 fee to amend the registration certificate of a dealer, or agent, investment adviser or investment adviser representative, issue duplicates certificates, or register a branch office. \$35 fee for filing a request to take the Texas Securities Law Examination.</p>	1935 by the 44th Leg.	TEX. REV. CIV. STAT. ANN. art. 581-35, art. 581-42	312 - State Securities Board	0001 - General Revenue Fund



APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Service Contract Providers and Administrators</b>	<p>A person may not operate as a service contract provider or administrator unless registered. Each applicant shall pay a registration and renewal fee based on the number of contracts sold during the preceding 12 months to cover costs of administration. Administrative penalties not to exceed \$5,000 per day (collected under Revenue Object 3770). Civil penalties not to exceed \$2,500 per violation or \$50,000 aggregate (collected under Revenue Object 3717).</p> <p>New license status of Inactive, Temporary and Emergency, fees set by the department.</p>	September 1, 1999 by S.B. 1775, 76th Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.4011, sec. 51.407, sec. 51.408, sec. 51.302, sec. 1304.103, sec. 1304.201, sec. 1304.202	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Sexually Oriented Businesses</b>	A fee is imposed on a sexually oriented business in an amount equal to \$5 for each entry by each customer admitted to the business.	2007 by H.B. 1751, 80th Leg. R.S.	TEX. BUS. & COMM. CODE ANN. sec. 102.052, sec. 102.054	902 - Comptroller - State Fiscal	5010 - GR Account - Sexual Assault Program
<b>Solicitation -- Public Safety</b>	<p>A public safety organization, independent promoter or public safety publication may not solicit unless a registration statement has been filed and a registration or renewal fee of \$250 has been paid. Volunteer fire fighters that solicit only in the area of the fire fighters jurisdiction are excluded.</p> <p>A public safety organization, independent promoter or public safety publication may not use a solicitor unless the solicitor has filed a registration statement and paid a \$500 registration or renewal fee and filed the required bond. Registration statement effective date is the date of Secretary of State certificate issuance.</p> <p>Civil penalties are up to \$2,500 for a single violation or \$10,000 for all violations (collected under Revenue Object 3717).</p>	1993 by H.B. 712, 73rd Leg. R.S.	TEX. OCC. CODE ANN. sec. 1803.054, sec. 1803.055, sec. 1803.154	307 - Secretary of State	0001 - General Revenue Fund
<b>Solicitation -- Veterans</b>	<p>Before beginning solicitations:</p> <ul style="list-style-type: none"> <li>• a veteran's organization must file a registration statement with a \$150 fee</li> <li>• a solicitor for a veteran's organizations must file a registration statement with a \$500 fee</li> <li>• if required, reports of solicitation must be accompanied by a \$50 filing fee</li> </ul> <p>The effective date of the registration statement is the date on which the Secretary of State issues the certificate. Civil penalty for violation of Chapter 1804 up to \$10,000 for each violation, for violation of an injunction up to \$100,000 (collected under Revenue Object 3717).</p>	1993 by H.B. 1899, 73rd Leg. R.S.	TEX. OCC. CODE ANN. sec. 1804.053, sec. 1804.055, sec. 1804.204	307 - Secretary of State	0001 - General Revenue Fund
<b>Solid Waste Technicians</b>	Commission authorized to develop program for training of solid waste technicians, and issue letters of competency. Reasonable, non-refundable fee in amount determined to cover costs. Commission shall issue registration for on-site sewage installer if installer completes application form that's in compliance, and has successfully completed educational training program offered by Department. Commission shall establish and collect registration fees to cover the cost of issuing registrations and may provide for periodic renewals. If an installer commits an offense, there is a fine of not less than \$50 nor more than \$100; if previously convicted a fine of not less than \$125 nor more than \$500, by confinement or both.	1981 by H.B. 1407, 67th Leg.	TEX. HEALTH & SAFETY CODE ANN. sec. 361.027, sec. 366.071	582 - Texas Commission on Environmental Quality (formerly the Texas Natural Resource Conservation Commission, Agency 582 for the Commission and Texas Air Control Board, Agency 519), (formerly by Texas Department of Health, Agency 501)	0468 - GR Account - Texas Commission On Environmental Quality Occupational Licensing (formerly to General Revenue Fund (No. 0001). First deposited September 1, 1985.)

## APPENDIX E (continued)

### State Professional Fees Detail as of Fiscal 2016

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Speech-Language Pathologists and Audiologists</b>	<p>To record fees for regulation of a speech-language pathologists and audiologists. The commission shall set fees in amounts to cover costs of administration for applications, licenses, renewals, examinations and other programs or activities for which a fee is authorized.</p> <p>Fees to renew expired licenses are between 1-1/2 to 2 times the normally required renewal fee.</p> <p>Administrative penalties may be assessed between \$50 and \$5,000 for each violation. Each day of continuance is a separate violation. (Collected under Revenue Object 3770).</p>	1983 by S.B. 813, 68th Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.401, sec. 51.202, sec. 401.552, sec. 401.303, sec. 401.305, sec. 401.310	452 - Texas Department of Licensing and Regulation (formerly Department of Health State Services, agency 537; Texas Department of Health, agency 501)	0001 - General Revenue Fund (formerly to the Speech-language Pathology and Audiology Fund Account (No. 0515), abolished August 31, 1995 per § 403.094 Government Code)
<b>Structural Pest Control</b>	<p>The board may set and charge structural pest control businesses or certified applicators fees to cover administrative costs for the following:</p> <ul style="list-style-type: none"> <li>• Structural pest control businesses license</li> <li>• Each certified applicator license</li> <li>• A temporary business or applicator's license</li> <li>• Technician license</li> <li>• Testing fee</li> <li>• Consideration for approval of training courses</li> <li>• Purchase or borrowing of materials</li> <li>• Pretreatment inspection</li> </ul> <p>The board may assess civil penalties between \$50 and \$2,000 for each violation (collected under Revenue Object 3717).</p>	1971 by S.B. 910, 62nd Leg.	TEX. OCC. CODE ANN. ch. 1951	551 - Department of Agriculture (formerly the Texas Structural Pest Control Board, Agency 472)	0001 - General Revenue Fund (formerly to the Structural Pest Control Fund Account (No. 0424), abolished August 31, 1995 per § 403.094, Government Code)
<b>Surgical Assistants</b>	A person may not practice as a surgical assistant unless licensed. The medical board shall set fees in amounts reasonable and necessary for license, renewal and transfer. If license has expired 90 days or less pays a fee 1 1/2 times the renewal fee; 90 days - one year, pays a fee two times the renewal fee and over 1 year must reapply.	2001 by H.B. 1183, 77th Leg. R.S.	TEX. OCC. CODE ANN. sec. 206.208	503 - Texas Medical Board	0001 - General Revenue Fund
<b>Talent Agencies</b>	<p>Department may charge each talent agency reasonable fees to cover cost of filing an original certificate and for registration and administration. Certificate valid for one year. A person commits an offense (Class A misdemeanor) if they knowingly or intentionally violate a provision of this Act or a rule adopted under this Act. Based on rules adopted by the department, effective December 1, 1995, rates are as follows:</p> <ul style="list-style-type: none"> <li>• Filing an original talent agency certificate \$100.00</li> <li>• Registration and administration \$500.00</li> <li>• Renewal of certificate \$100.00</li> <li>• Renewal of registration and administration \$500.00</li> <li>• Updated certificate of registration \$100.00</li> <li>• Duplicate certificate of registration \$25.00</li> <li>• Filing or update of a registration statement \$amount to cover costs</li> </ul> <p>* New license status of Inactive, Temporary and Emergency, fees set by the department.</p>	January 1, 1990 by S.B. 759, 71st Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.4011, sec. 51.407, sec. 51.408	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Telephone Sellers</b>	A seller may not engage in telephone solicitation without certificate of registration, obtained by filing a registration statement and filing fee of \$200. Separate certificate required for each business location from which solicitation is made. Registration statement effective for one year and may be renewed by filing renewal registration statement and paying a filing fee.	1993 by H.B. 364, 73rd Leg. R.S.	TEX. BUS. & COMM. CODE ANN. sec. 302.106, sec. 302.104	307 - Secretary of State	0001 - General Revenue Fund

APPENDIX E (continued)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Temporary Common Worker</b>	Commissioner shall establish and charge application, registration, renewal fees for issue of a license to a person or agency operating as a temporary common worker employer.  * New license status of Inactive, Temporary and Emergency, fees set by the department.	September 1, 1991 by S.B. 1520, 72nd Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.4011, sec. 51.407, sec. 51.408  TEX. LAB. CODE ANN. sec. 92.014, sec. 92.015	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Therapeutic Optometry</b>	A person may not engage in the practice of therapeutic optometry without holding a license and paying the following fees as set by the Board: examination fee, re-examination fee, license fee, license renewal fee, lost license fee. Late fees before 90 days are renewal fee plus 1/2 exam fee. 90 days - 1 year is renewal fee plus exam fee. A license holder on retired status must pay a renewal fee equal to the renewal fee on an inactive status and renewal plus administrative fees for reinstatement.	1991 by S.B. 774, 72nd Leg. R.S.	TEX. OCC. CODE ANN. sec. 351.152, sec. 351.258	514 - Texas Optometry Board	0001 - General Revenue Fund (formerly to the Optometry Fund Account (No. 0034), abolished August 31, 1995 per § 403.094 Government Code)
<b>Training, Registration of HIV Counselors</b>	Department shall develop and offer a training course providing HIV counseling, including information on special needs of persons with HIV, including the importance of early intervention/treatment and recognition of psychosocial needs. Department shall maintain a registry of persons who successfully complete the training course. Department may charge a fee for training persons other than employees of entities receiving state or federal funds for HIV counseling and testing programs. The Board of Health shall set a fee in an amount reasonable and necessary to cover the costs of training.	September 1989 by S.B. 959, 71st Leg. R.S.	TEX. HEALTH & SAFETY CODE ANN. sec. 85.087	537 - Department of State Health Services (formerly Texas Department of Health, Agency 501)	0001 - General Revenue Fund
<b>Underground Storage Tank Installers</b>	The Commission shall charge necessary fees to defray costs of administration including: <ul style="list-style-type: none"> <li>• Examination fee</li> <li>• Initial license application</li> <li>• Annual license renewal fee</li> <li>• Late renewal fee</li> <li>• Duplicate license fee</li> <li>• Certification of registration application fee</li> <li>• Certification of registration issuance fee</li> <li>• Certification of registration annual renewal fee</li> <li>• Duplicate certification of registration or license</li> <li>• Application to change certificate of registration</li> <li>• Approval of continuing education programs</li> </ul> If a person remits an examination fee and initial license application fee, the examination fee shall be applied to the license application fee so that an applicant does not pay more than \$200 for an initial application and examination.	1989 by H.B. 183, 71st Leg. R.S.	TEX. WATER CODE ANN. sec. 37.008, sec. 37.009	582 - Texas Commission on Environmental Quality (formerly the Texas Natural Resource Conservation Commission, Agency 582)	0468 - GR Account - Texas Commission On Environmental Quality Occupational Licensing (formerly to GR Account -- Storage Tank (No. 0583))
<b>Used Automotive Parts Recyclers</b>	A person must hold a license to own or operate a used automobile parts recycling business or to sell used auto parts. A separate license is required for each facility. If license has expired, the person may renew by paying the following fees: 90 days or less - 150% of renewal fee; 91 days to 18 months - 200% of the renewal fee; 18 months but less than 3 years - 200% of fee. Includes license status of Inactive, Temporary and Emergency, fees set by the Department  Administrative penalties set by the Department and collected under Revenue Object 3770.	2009 by H.B. 3097, 81st Leg. R.S.	TEX. OCC. CODE ANN. sec. 51.401, sec. 2309.104, sec. 2309.105, sec. 2309.106, sec. 2309.151, sec. 2309.152, sec. 2309.153, sec. 2309.154, sec. 2309.251	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund

APPENDIX E (concluded)  
**State Professional Fees Detail as of Fiscal 2016**

Occupation	Description	Origin Date	Legal Cites	Collecting Agencies	Deposit Funds
<b>Vehicle Protection Product Warrantor</b>	<p>A person may not operate as a warrantor or represent to the public the person is a warrantor unless registered with the department. Each registered warrantor shall pay an annual registration fee as set by the commission to cover costs of administration. The department shall develop a tiered fee structure assessing fees based on number of vehicle protection products sold in the state in the 12 months preceding date of registration. Administrative penalties up to \$5,000 per day (collected under Revenue Object 3770). Civil penalties up to \$1,000 for each violation or \$50,000 for all similar violations (collected under Revenue Object 3717).</p> <p>New license status of Inactive, Temporary and Emergency, fees set by the department.</p>	2001 by S.B. 714, 77th Leg. R.S.	TEX. OCC. CODE ANN. ch. 2306, sec. 51.4011, sec. 51.407, sec. 51.408, sec. 51.302	452 - Texas Department of Licensing and Regulation	0001 - General Revenue Fund
<b>Veterinary</b>	<p>Fees for each person before practicing as a veterinarian, veterinary technician, or equine dental provider in amounts set by the Board, sufficient to cover administration. The Board may not set a fee for an amount less than the amount of that fee on September 1, 1993. Late renewal before 90 days is renewal fee equal to 1-1/2 times renewal fee set by the board. 90 days - 1 year is renewal fee two times renewal fee set by the board. If expired one year or more, must reapply.</p> <p>Administrative penalty up to \$5,000 for each violation per day (collected under Revenue Object 3770). Civil penalty is \$1,000 for each day of violation (collected under Revenue Object 3717).</p> <p>Initial license or registration fee increased by \$5 and renewal by \$1 effective September 1, 2003.</p>	1911 by 32nd Leg. R.S. (ch 76, p. 132)	TEX. OCC. CODE ANN. sec. 101.307, sec. 801.303, sec. 801.452, sec. 801.265, sec. 801.503	578 - State Board of Veterinary Medical Examiners	0001 - General Revenue Fund
<b>Water Treatment Specialists</b>	<p>A person may not engage in water treatment to install, exchange, service and repair residential, commercial or industrial water treatment equipment and appliances without a certificate. Commission shall charge reasonable fees sufficient to pay for administration costs, not to exceed \$150 a year.</p>	1981	TEX. OCC. CODE ANN. sec. 1904.051	582 - Texas Commission on Environmental Quality (formerly the Texas Natural Resource Conservation Commission, Agency 582)	0001 - General Revenue Fund

Note: The fees described in Appendix E, unless otherwise indicated, are deposited to either object code 3175 – professional fees or object code 3562 – health related professional fees.

Source: Glenn Hegar, Texas Comptroller

## APPENDIX F

### Change in Major Texas Insurance Premium Tax Rates 1907 to 2016 (in percent)

*When multiple rates are presented, they apply in inverse proportion to the share of investments in Texas*

Legislature	Year	Property and Casualty Domestic (%)	Property and Casualty Foreign (%)	Life, Accident, and Health Domestic (%)	Life, Accident, and Health Foreign (%)	Title (%)	Licensed Captives (%)
30th	1907 <sup>a</sup>	2.0	2.0	0.5/1.0/3.0	0.5/1.0/3.0		
31st	1909	2.0	2.0	0	1.5/2.0/2.5/3.0		
32nd	1911	0.5/1.0/2.6	0.5/1.0/2.6	0	1.5/2.0/2.5/3.0		
44th	1936	0.625/1.25/3.25	0.625/1.25/3.25	0.5	2.5/2.9/3.25/3.75		
45th	1937	0.625/1.25/3.25	0.5/2.0/3.25	0.5	2.5/2.9/3.25/3.75		
46th	1939 <sup>b</sup>	0.625/1.25/3.25	0.5/2.0/3.25	0.5	2.5/2.9/3.25/3.75		
47th	1941	0.75/1.5/4.05	0.5/3.0/4.05	0.625	3.1/3.6/4.0/4.65		
49th	1945 <sup>c</sup>	1.0/1.5/2.0/2.75/3.5	1.0/1.5/2.0/2.75/3.5	0.95/1.75/2.5/2.75/3.0/3.75	0.95/1.75/2.5/2.75/3.0/3.75		
51st	1949	1.0/1.5/2.0/2.75/3.5	1.0/1.5/2.0/2.75/3.5	1.0	1.75/2.0/2.5/2.75/3.0		
52nd	1951	1.1/1.65/2.2/2.75/3.025/3.85	1.1/1.65/2.2/2.75/3.025/3.85	1.1	1.75/2.0/2.5/2.75/3.0		
67th	1981	1.2/2.4/3.5	1.2/2.4/3.5	1.1	1.75/2.0/2.5/2.75/3.0		
68th	1983	1.2/2.4/3.5	1.2/2.4/3.5	1.1	1.925/2.2/2.75/3.025/3.3		
68th	1984	1.2/2.4/3.5	1.2/2.4/3.5	1.1/1.8/2.5	1.1/1.8/2.5		
69th	1985	1.2/2.4/3.5	1.2/2.4/3.5	1.1/1.8/2.5	1.1/1.8/2.5		
70th	1987 <sup>d,e</sup>	1.2/2.4/3.5	1.2/2.4/3.5	1.1/1.8/2.5	1.1/1.8/2.5	1.3/2.0	
71st	1989	1.6/2.4/3.5	1.6/2.4/3.5	1.1/1.8/2.5	1.1/1.8/2.5	1.3/2.0	
Rate changes enacted in the 71st Legislature that took effect in subsequent years							
	1990	1.6/2.4/3.5	1.6/2.4/3.5	1.3/1.85/2.4	1.3/1.85/2.4	1.3/2.0	
	1991	1.6/2.4/3.5	1.6/2.4/3.5	1.4/1.85/2.3	1.4/1.85/2.3	1.3/2.0	
	1992	1.6/2.4/3.5	1.6/2.4/3.5	1.5/1.85/2.2	1.5/1.85/2.2	1.3/2.0	
	1993	1.6/2.4/3.5	1.6/2.4/3.5	1.6/1.85/2.1	1.6/1.85/2.1	1.3/2.0	
	1994	1.6/2.4/3.5	1.6/2.4/3.5	1.7/1.85/2.0	1.7/1.85/2.0	1.3/2.0	
	1995	1.6/2.4/3.5	1.6/2.4/3.5	1.75	1.75	1.3/2.0	
76th	1999 <sup>f</sup>	1.6	1.6	1.75	1.75	1.35	
83rd	2013 <sup>g</sup>						0.5

**Notes:**

- a. Pre-1907: Insurance companies were assessed a flat \$50 annual tax.
- b. Change in Texas investment thresholds necessary for reduced tax rates.
- c. First \$450,000 in gross life premiums qualify for reduced tax rates.
- d. 20 percent surtax enacted by the 70th Legislature applicable to premiums written in calendar 1987 and 1988 only.
- e. Title separated from P&C by the 70th Legislature for premiums written in calendar 1988 and beyond.
- f. For premiums written in calendar 2000 and beyond.
- g. The minimum premium tax is \$7,500 and the maximum premium tax is \$200,000.

Source: Texas Comptroller of Public Accounts

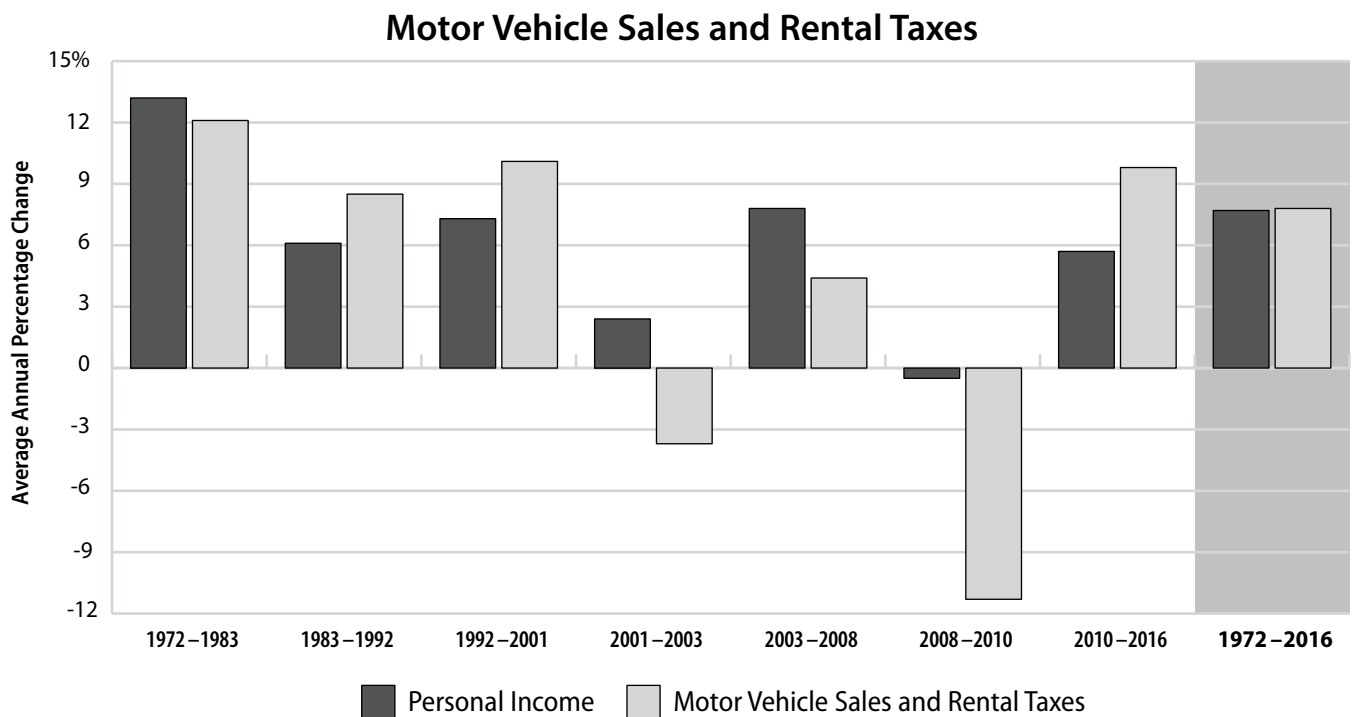
## APPENDIX G

# State Tax Collections and Personal Income, Fiscal 1972-2016

## Average Annual Growth Rates by Period



Source: Texas Comptroller of Public Accounts

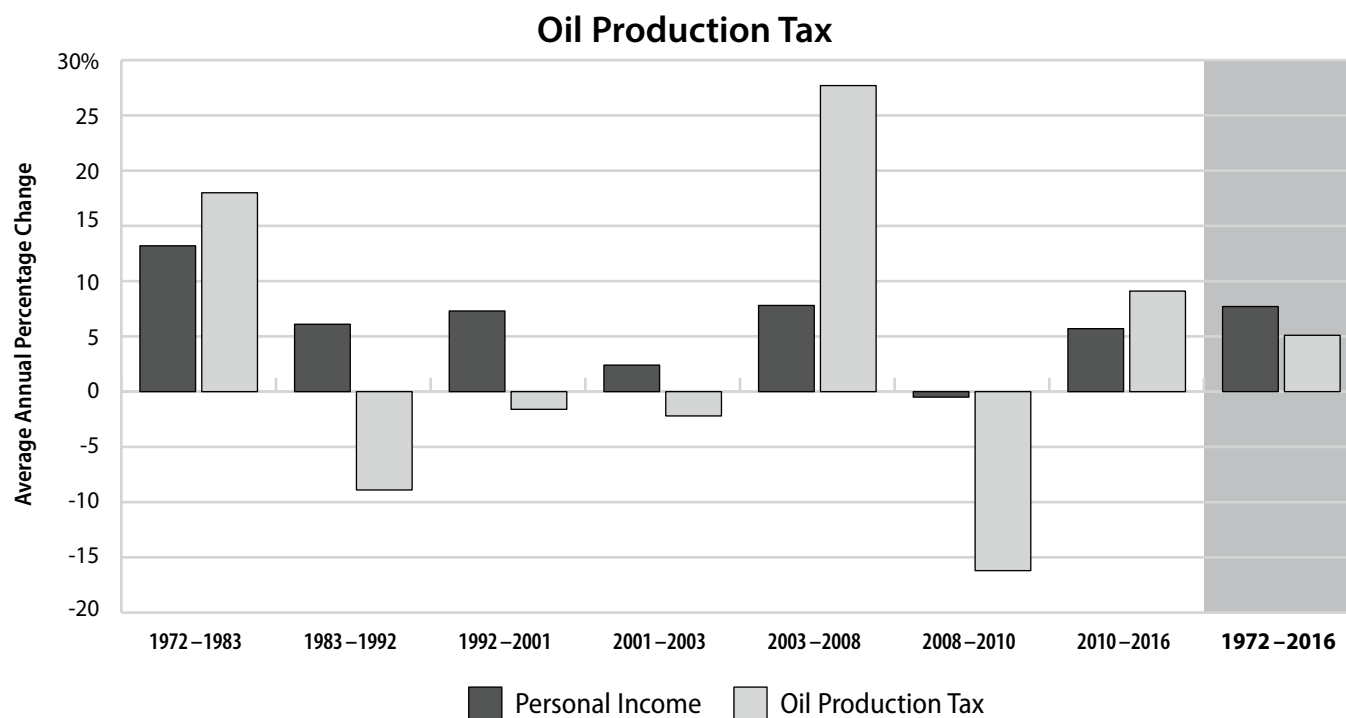


Source: Texas Comptroller of Public Accounts

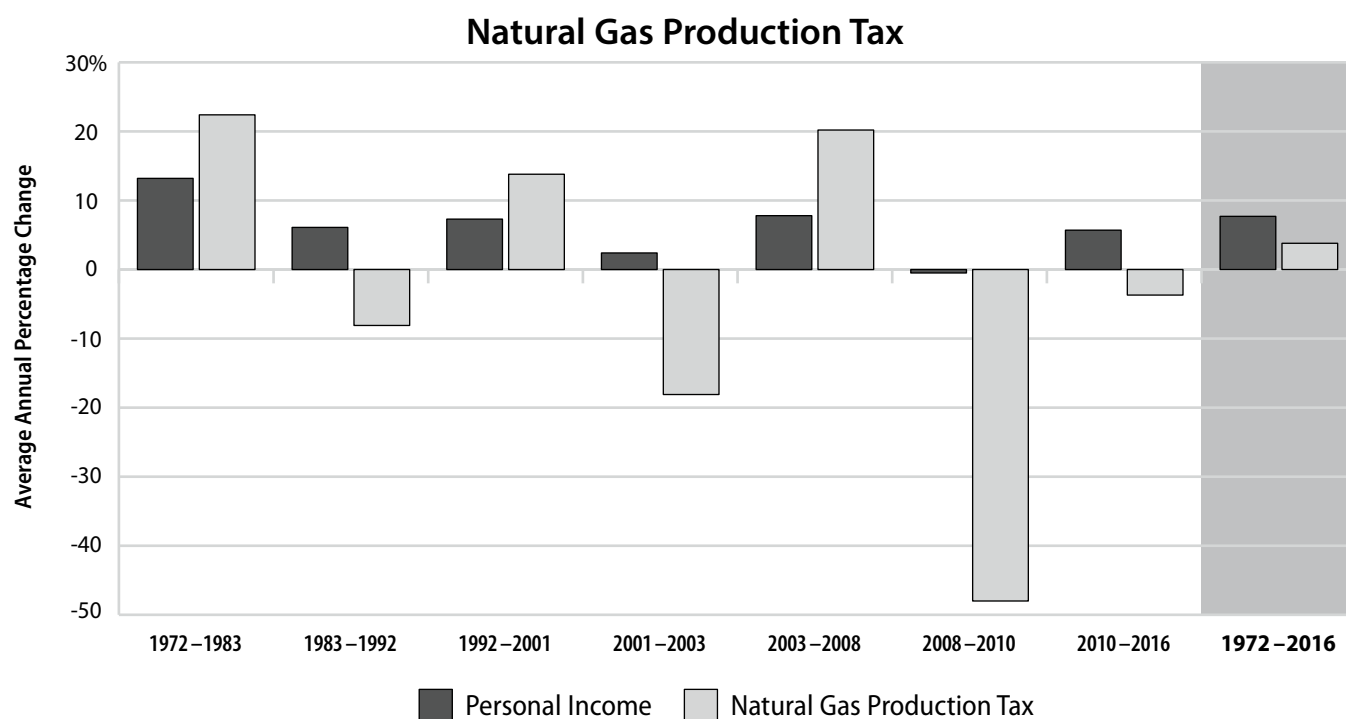
## APPENDIX G (continued)

# State Tax Collections and Personal Income, Fiscal 1972-2016

## Average Annual Growth Rates by Period



Source: Texas Comptroller of Public Accounts

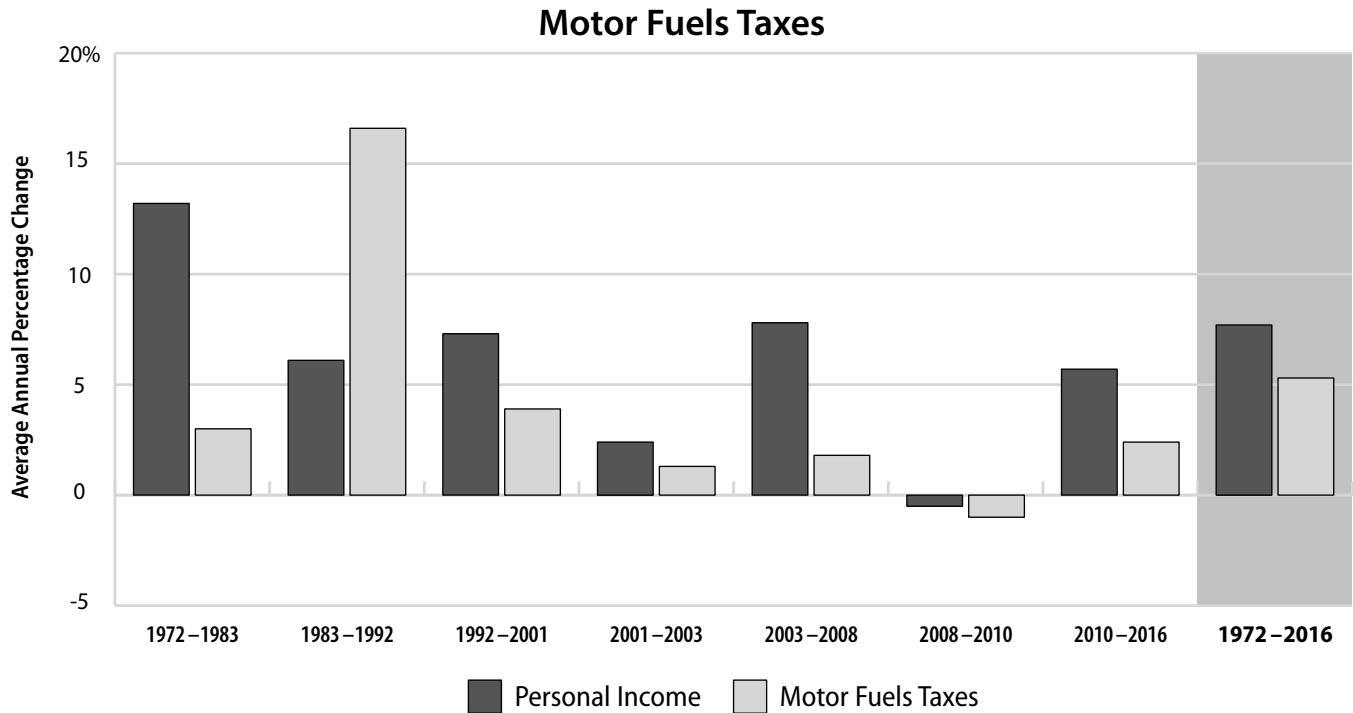


Source: Texas Comptroller of Public Accounts

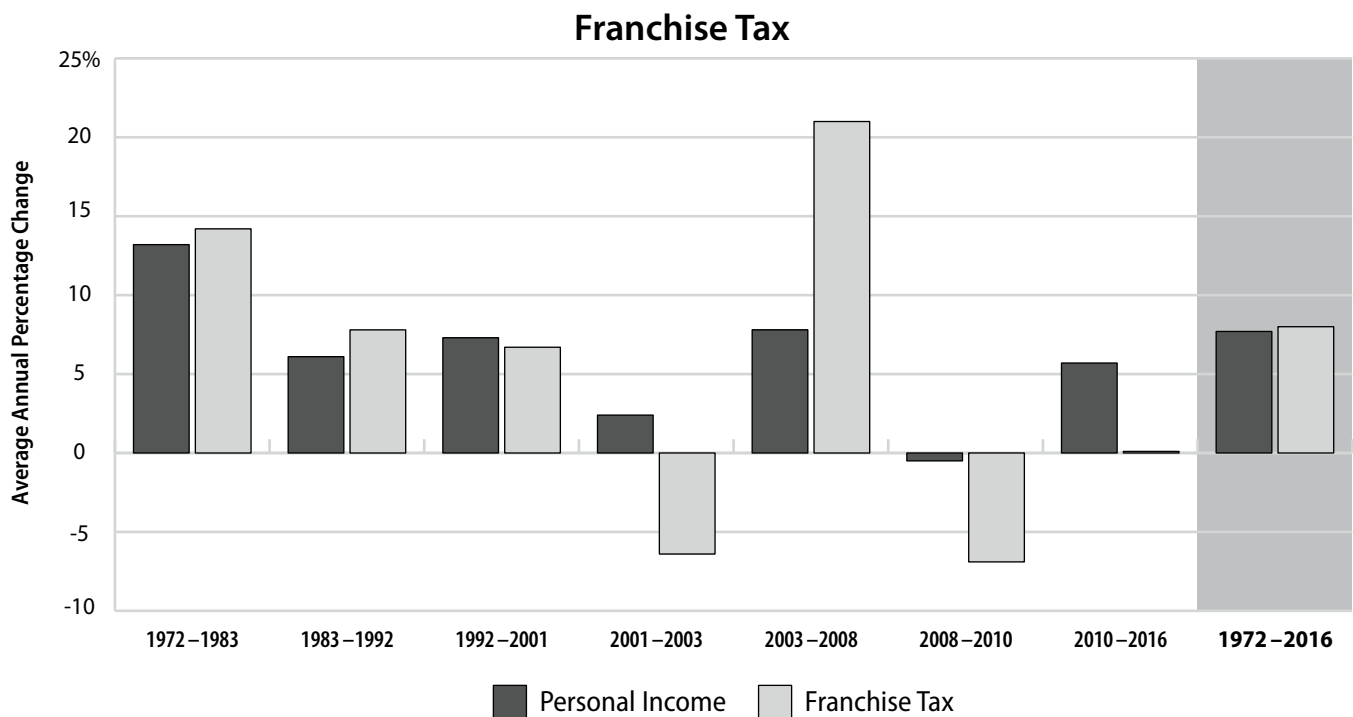
## APPENDIX G (continued)

# State Tax Collections and Personal Income, Fiscal 1972-2016

## Average Annual Growth Rates by Period



Source: Texas Comptroller of Public Accounts



Source: Texas Comptroller of Public Accounts

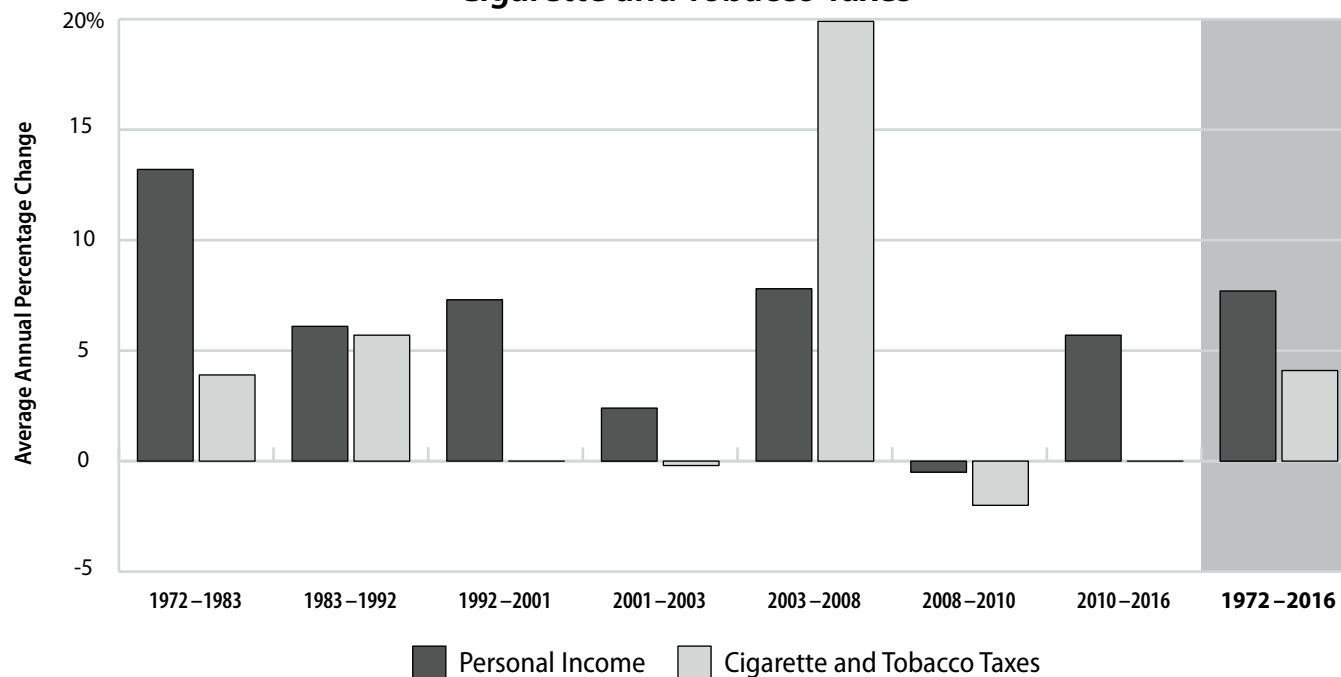


## APPENDIX G (continued)

# State Tax Collections and Personal Income, Fiscal 1972-2016

## Average Annual Growth Rates by Period

### Cigarette and Tobacco Taxes



Source: Texas Comptroller of Public Accounts

### Alcoholic Beverage Taxes

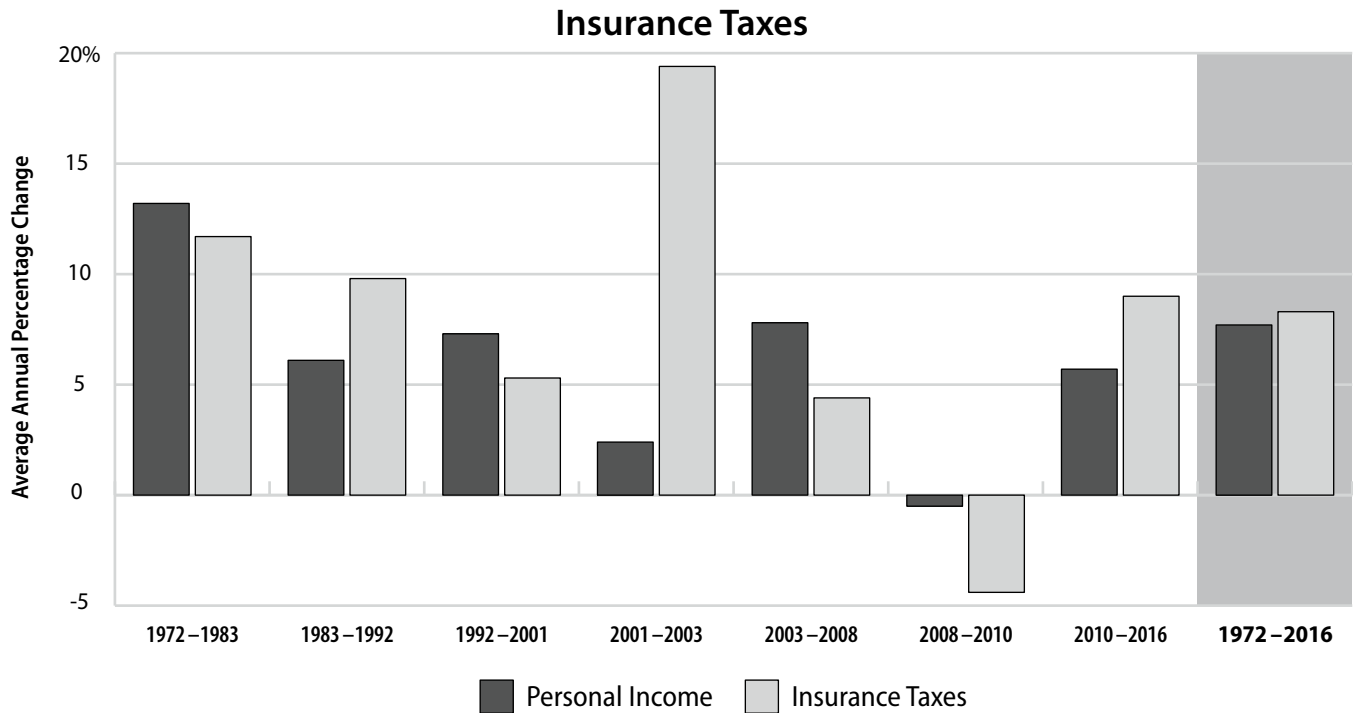


Source: Texas Comptroller of Public Accounts

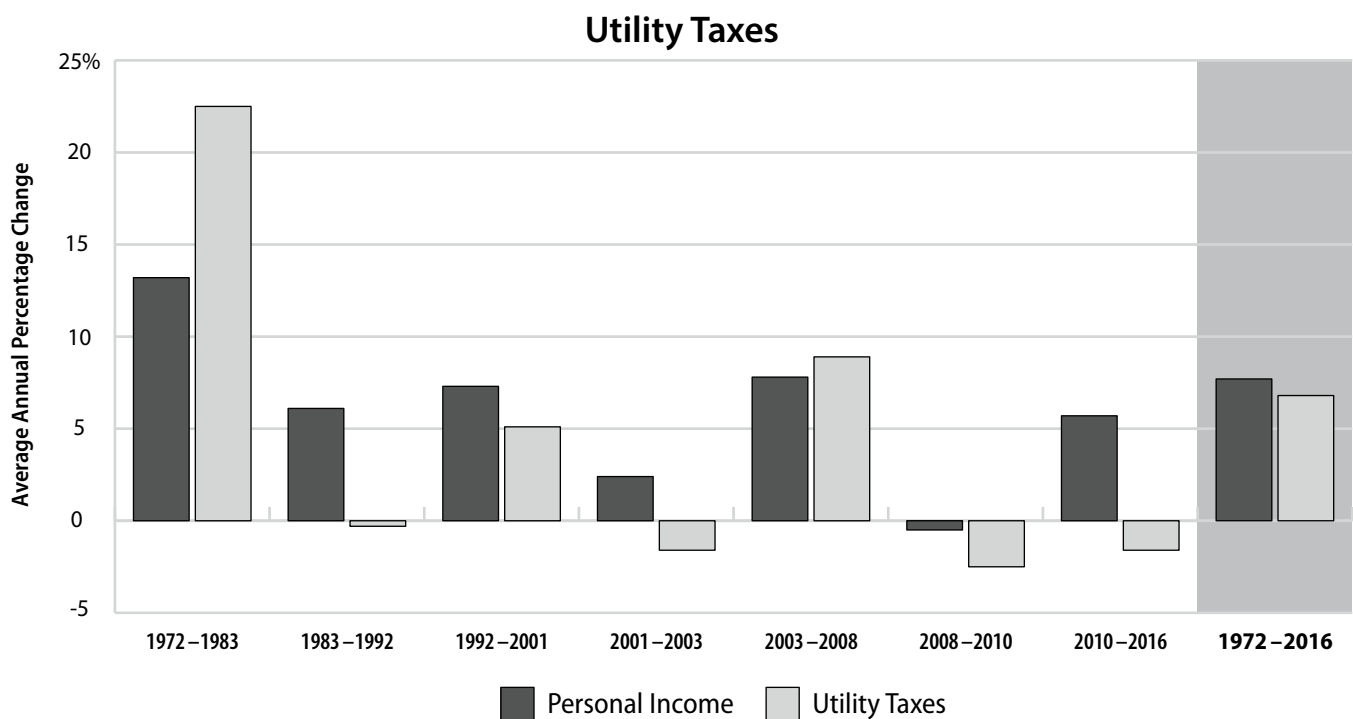
APPENDIX G (continued)

**State Tax Collections and Personal Income, Fiscal 1972-2016**

**Average Annual Growth Rates by Period**



Source: Texas Comptroller of Public Accounts

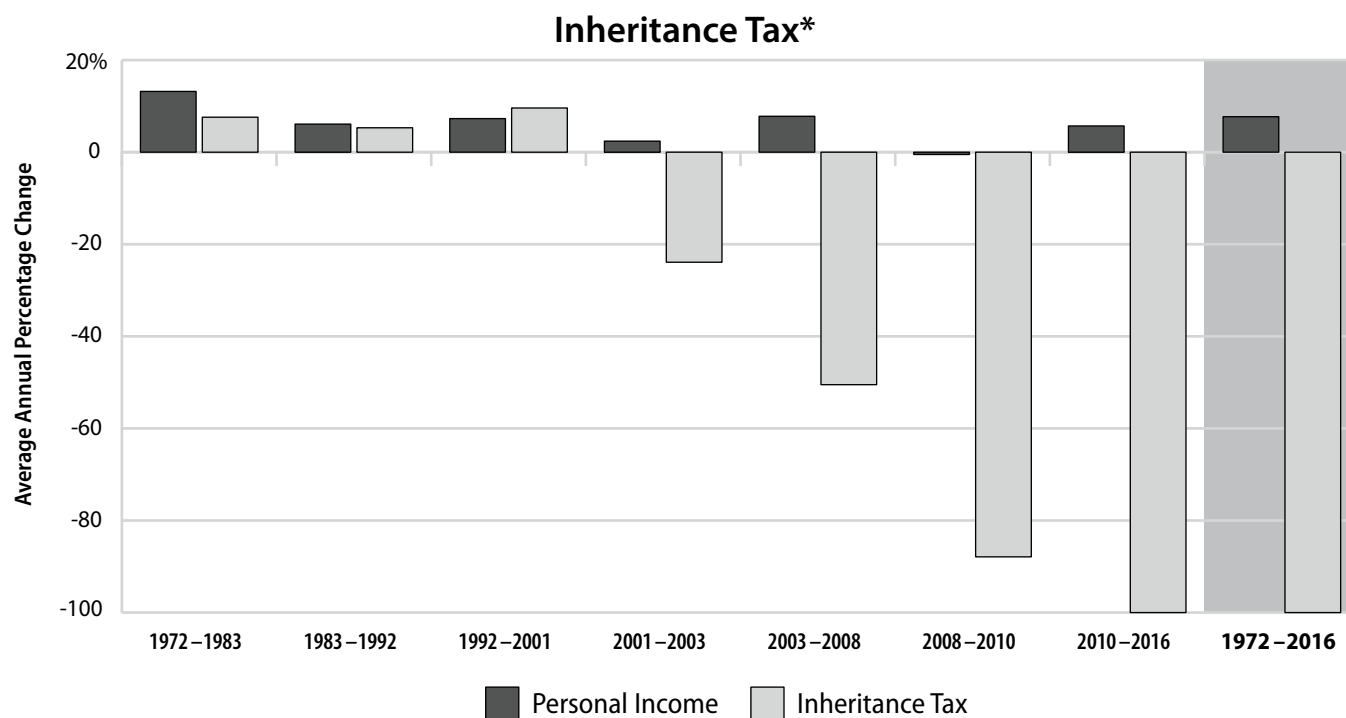


Source: Texas Comptroller of Public Accounts

## APPENDIX G (continued)

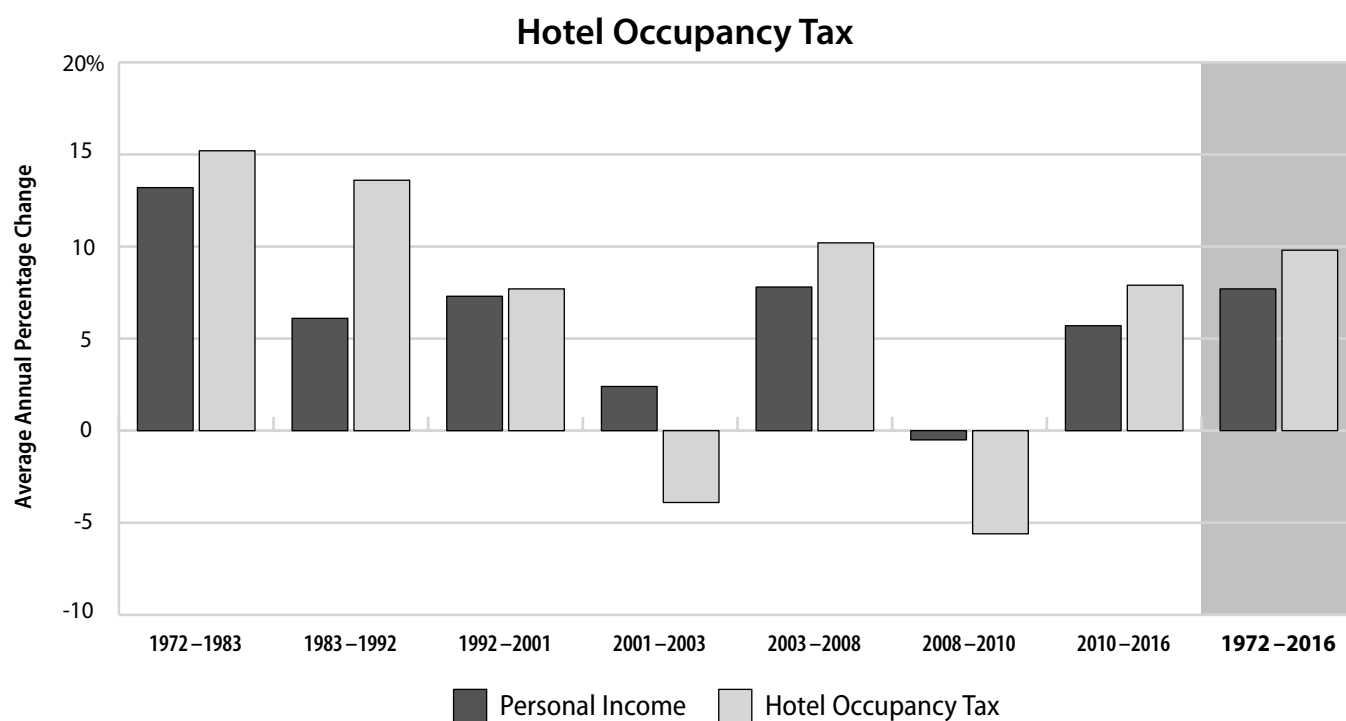
# State Tax Collections and Personal Income, Fiscal 1972-2016

## Average Annual Growth Rates by Period



\* Repealed; 84th Legislature; eff. Sept. 1, 2015

Source: Texas Comptroller of Public Accounts

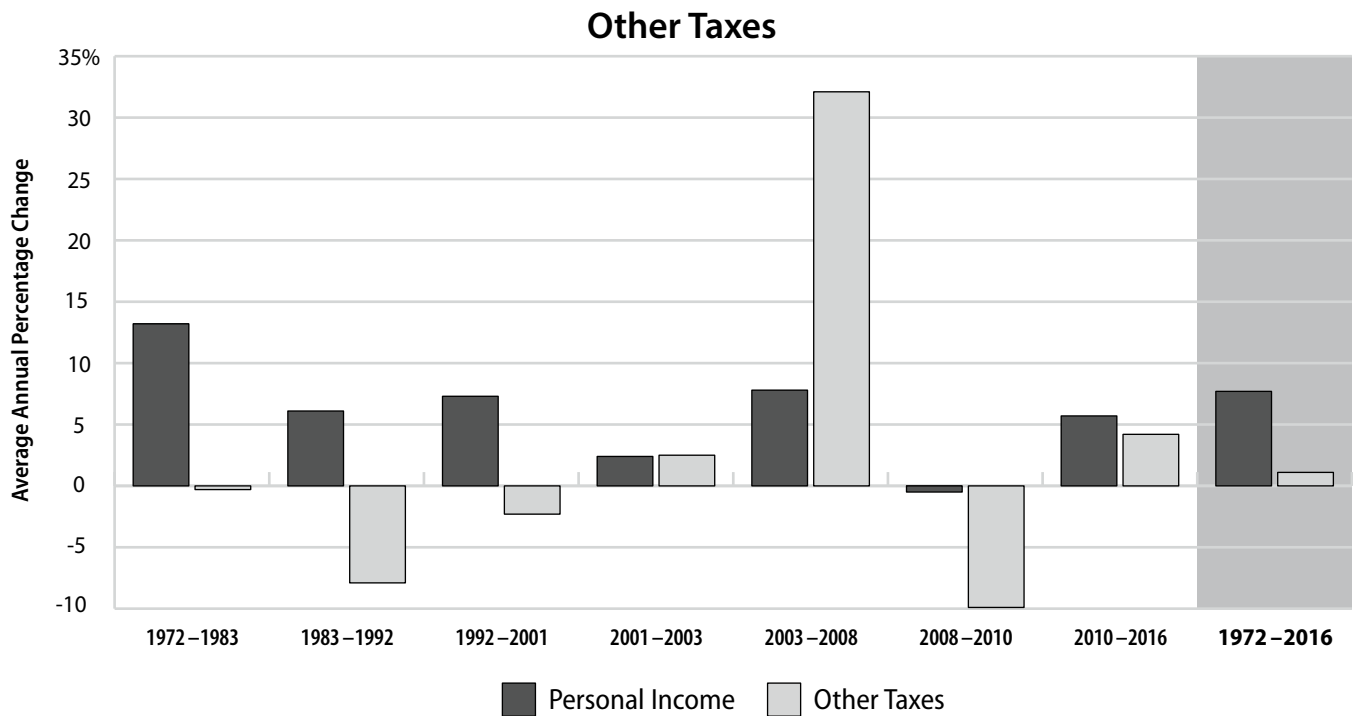


Source: Texas Comptroller of Public Accounts

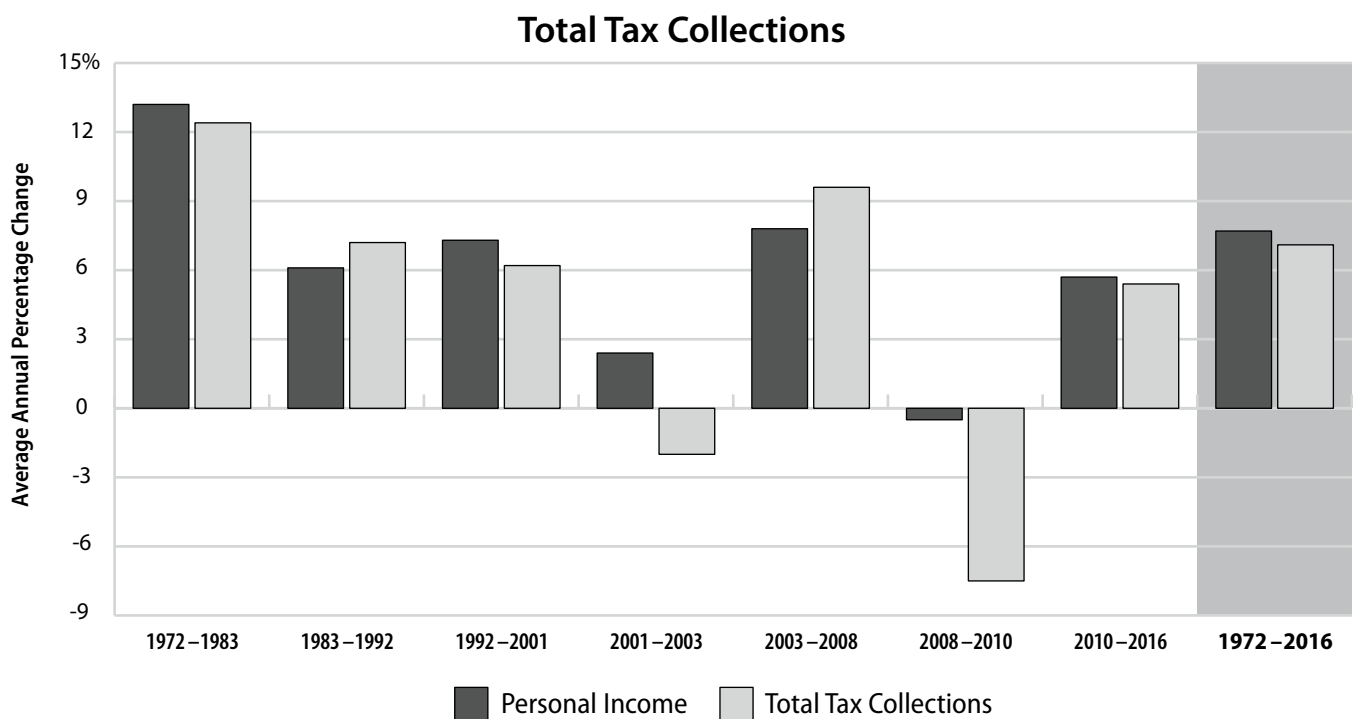
## APPENDIX G (concluded)

# State Tax Collections and Personal Income, Fiscal 1972-2016

## Average Annual Growth Rates by Period



Source: Texas Comptroller of Public Accounts



Source: Texas Comptroller of Public Accounts





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